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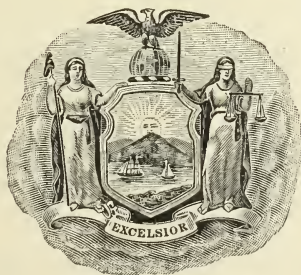
JOURNAL
OF THE
ASSEMBLY

OF THE
STATE OF NEW YORK

AT THEIR
ONE HUNDRED AND THIRTY-FOURTH SESSION

BEGUN AND HELD AT THE CAPITOL IN THE CITY OF ALBANY
ON WEDNESDAY, THE FOURTH DAY OF JANUARY, 1911

VOLUME IV



ALBANY
J. B. LYON COMPANY, STATE PRINTERS
1911

328.7471

N48

1911-1911a

v. 4

AYES 116

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|-------------|----------------|------------|
| Adler | Cuvillier | Hart | McElligott | Spielberg |
| Ahern | Dawson | Hearn | McKeon | Stivers |
| Allen | Day | Herrick J J | Merritt | Sullivan |
| Baumes | DeLano | Herrick W R | Miller | Sweet |
| Beach | Donnelly | Higgins | Myers | Talmage |
| Blauvelt | Drummond | Hinman | Neupert | Terry |
| Brace | Ebbetts | Hoey | Nolan | Thorn |
| Brennan | Egan | Hoff | Oliver | Trombly |
| Brereton | Evans | Hoyt | O'Neill J J | Turley |
| Bridenbecker | Farrell | Huber | O'Neil M A | Walker |
| Brooks | Fay | Jackson | Pappert | Ward |
| Brown | Fillee | Jameson | Parker A | Warren |
| Bryant | Foley | Kennedy | Parker J S | Washburn |
| Bush | Geatons | Keys | Patrie | Waters F A |
| Butler | Gerhardt | Lansing | Pierce | Waters R B |
| Carew | Goldstein | LaReau | Saunders | Weil |
| Caughlan | Goodwin | Levy A J | Schifferdecker | Wende |
| Coffey | Gould | Levy J | Seeley | Wilson |
| Collin | Graubard | Macdonald | Shannon | Winters |
| Colné | Gregg | MacGregor | Sheide | Yale |
| Connell | Gurnett | Manley | Shepardson | Yeomans |
| Cosad | Hackett | Martin | Shlivek | Young |
| Cross | Haines | McDaniels | Smith A E | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 1356, Senate Reprint No. 1834, Int. No. 303), entitled "An act to amend the Forest, Fish and Game Law, in relation to spearing, hooking and set lines," with a message that they have concurred in the passage of the same, with the following amendments:

Title, strike out all after word "to" and insert "spearing, hooking and set lines".

Page 2, line 6, after "Mink creek" insert "Lidell creek".

Page 2, line 7, after "Exeter" insert "Otsego county from March first to May first".

Page 2, line 12, after "inclusive" insert "and in the waters of Lake Erie and in the tributaries thereto mullet, suckers, carp and catfish may be speared from March first to May fifteenth, both inclusive".

Page 2, line 15, place brackets around comma after word "dog fish".

Page 2, lines 18 and 19, insert brackets as indicated.

Page 2, line 26, insert printed matter as indicated.

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Page 3, line 11, omit brackets around word "fish" and omit word "trout".

Page 2, line 25, after "Davenport" insert "suckers may be taken by hooking through the ice in the Schohariekill and the Bataviakill creeks in Greene and Schoharie counties".

Mr. Shannon moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 115

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|-------------|----------------|------------|
| Adler | Cuvillier | Hart | McElligott | Spielberg |
| Ahern | Dawson | Hearn | McKeon | Stivers |
| Allen | Day | Herrick J J | Merritt | Sullivan |
| Baumes | DeLano | Herrick W R | Miller | Sweet |
| Beach | Donnelly | Higgins | Myers | Talmage |
| Blauvelt | Drummond | Hinman | Neupert | Terry |
| Brace | Ebbetts | Hoey | Nolan | Thorn |
| Brennan | Egan | Hoff | Oliver | Trombly |
| Brereton | Evans | Hoyt | O'Neill J J | Turley |
| Bridenbecker | Farrell | Huber | O'Neil M A | Walker |
| Brooks | Fay | Jackson | Pappert | Ward |
| Brown | Filley | Jameson | Parker A | Warren |
| Bryant | Foley | Kennedy | Parker J S | Washburn |
| Bush | Geatons | Keys | Patrie | Waters F A |
| Butler | Gerhardt | Lansing | Pierce | Waters R B |
| Carew | Goldstein | LaReau | Saunders | Weil |
| Cheney | Goodwin | Levy A J | Schifferdecker | Wende |
| Coffey | Gould | Levy J | Seeley | Wilson |
| Collin | Graubard | Macdonald | Shannon | Winters |
| Colné | Gregg | MacGregor | Sheide | Yale |
| Connell | Gurnett | Manley | Shepardson | Yeomans |
| Cosad | Hackett | Martin | Shlivek | Young |
| Cross | Haines | McDaniels | Smith A E | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1911, Senate Reprint No. 1833, Int. No. 696), entitled "An act to amend the Public Health Law, in relation to the use of common drinking cups," with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 10, place brackets around the following: "September first, nineteen hundred and eleven" and insert thereafter the following: "thirty days after the adoption and promulgation of said rules and regulations by the State Commissioner of Health".

Mr. Carew moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 115

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|-------------|----------------|------------|
| Adler | Cuvillier | Hart | McElligott | Spielberg |
| Ahern | Dawson | Hearn | McKeon | Stivers |
| Allen | Day | Herrick J J | Merritt | Sullivan |
| Baumes | DeLano | Herrick W R | Miller | Sweet |
| Beach | Donnelly | Higgins | Myers | Talmage |
| Blauvelt | Drummond | Hinman | Neupert | Terry |
| Brace | Ebbetts | Hoey | Nolan | Thorn |
| Brennan | Egan | Hoff | Oliver | Trombly |
| Brereton | Evans | Hoyt | O'Neill J J | Turley |
| Bridenbecker | Farrell | Huber | O'Neil M A | Walker |
| Brooks | Fay | Jackson | Pappert | Ward |
| Brown | Filley | Jameson | Parker A | Warren |
| Bryant | Foley | Kennedy | Parker J S | Washburn |
| Bush | Geatons | Keys | Patrie | Waters F A |
| Butler | Gerhardt | Lansing | Pierce | Waters R B |
| Carew | Goldstein | LaReau | Saunders | Weil |
| Cheney | Goodwin | Levy A J | Schifferdecker | Wende |
| Coffey | Gould | Levy J | Sceley | Wilson |
| Collin | Graubard | Macdonald | Shannon | Winters |
| Colné | Gregg | MacGregor | Sheide | Yale |
| Connell | Gurnett | Manley | Shepardson | Yeomans |
| Cosad | Hackett | Martin | Shlivek | Young |
| Cross | Haines | McDaniels | Smith A E | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1507, Senate Reprint No. 1899, Int. No. 1277), entitled "An act making appropriations for construction, additions and improvements at the State hospitals for the insane," with a message that they have

concurred in the passage of the same, with the following amendments:

Page 1, lines 7 and 8, reduce the amount from \$33,000 to \$28,000.

Page 1, line 10, after the word "plant" insert the words "and changes in water supply system".

Page 2, lines 11, 12, omit the words "for increase in dining-room capacity and readjustment of space" and insert in lieu thereof "alteration and addition to chronic building".

Page 3, line 2, omit the word "Duhrkop".

Page 3, line 7, omit the words "seventy-five patients".

Page 3, line 10, after the word "telephones" omit the word "in" and insert in place thereof the word "for".

Page 3, line 11, after the figures "\$750" insert "for extension of sewage disposal system, seventy-eight hundred dollars (\$7,800); for elevators for cottages for chronic patients, thirteen thousand two hundred dollars (\$13,200);".

Page 3, lines 20, 21, reduce the amount from \$30,000 to \$22,000.

Page 3, line 23, after word "for" insert word "beginning".

Page 3, line 25, omit all words after "right of way" up to word "two" line 2, page 4.

Page 4, line 8, strike out "one hundred eighty-eight thousand five hundred dollars (\$188,500)" and insert in place thereof the following: "two hundred thousand dollars (\$200,000)".

Mr. A. E. Smith moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 115

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|-----------|-------------|------------|-----------|
| Adler | Cuvillier | Hart | McElligott | Spielberg |
| Ahern | Dawson | Hearn | McKeon | Stivers |
| Allen | Day | Herrick J J | Merritt | Sullivan |
| Baumes | DeLano | Herrick W R | Miller | Sweet |
| Beach | Donnelly | Higgins | Myers | Talmage |
| Blauvelt | Drummond | Hinman | Neupert | Terry |
| Brace | Ebbetts | Hoey | Nolan | Thorn |
| Brennan | Egan | Hoff | Oliver | Trombly |

| | | | | |
|--------------|-----------|-----------|----------------|------------|
| Brereton | Evans | Hoyt | O'Neill J J | Turley |
| Bridenbecker | Farrell | Huber | O'Neil M A | Walker |
| Brooks | Fay | Jackson | Pappert | Ward |
| Brown | Filley | Jameson | Parker A | Warren |
| Bryant | Foley | Kennedy | Parker J S | Washburn |
| Bush | Geatons | Keys | Patrie | Waters F A |
| Butler | Gerhardt | Lansing | Pierce | Waters R B |
| Carew | Goldstein | LaReau | Saunders | Weil |
| Caughlan | Goodwin | Levy A J | Schifferdecker | Wende |
| Coffey | Gould | Levy J | Seeley | Wilson |
| Collin | Graubard | Macdonald | Shannon | Winters |
| Colné | Gregg | MacGregor | Sheide | Yale |
| Connell | Gurnett | Manley | Shepardson | Yeomans |
| Cosad | Hackett | Martin | Shlivek | Young |
| Cross | Haines | McDaniels | Smith A E | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

Mr. Donnelly offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the mayor of the city of New York, requesting that he return to the Assembly a certified copy of Assembly bill (No. 963, Int. No. 872), entitled "An act to direct the comptroller of the city of New York to cancel certain assessments on real property for the improvement of Grand street, in the borough of Brooklyn, from Hooper street to Bridge plaza, and to provide for the refunding of such assessments heretofore paid," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Yale offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1530, Int. No. 1299), entitled "An act to make the office of county clerk of Putnam county a salaried office, and regulating the management of said office," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. J. S. Parker offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2221, Int. No. 1792), entitled "An act to amend chapter one hundred and sixteen of the Laws of eighteen hundred and ninety-seven, entitled 'An act to make the office of county clerk of Washington county a salaried office, and regulating the management of said office,' and the acts amendatory thereof," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *June 26, 1911.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 958, Rec. No. 301), entitled "An act to validate proceedings heretofore taken for the issue of bonds by municipal corporations and districts," for the purposes of amendment.

By order of the Senate,

PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2221, Int. No. 1792), entitled "An act to amend chapter one hundred and sixteen of the Laws of eighteen hundred and ninety-seven, entitled 'An act to make the office of county clerk of Washington county a salaried office, and regulating the management of said office,' and the acts amendatory thereof," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1530, Int. No. 1299), entitled "An act to make the office of county clerk of Putnam county a salaried office, and regulating the management of said office," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the mayor of the city of New York, for the purposes of amendment, the certified copy of Assembly bill (No. 963, Int. No. 872), entitled "An act to direct the comptroller of the city of New York to cancel certain assessments on real property for the improvement of Grand street, in the borough of Brooklyn, from Hooper street to Bridge plaza, and to provide for the refunding of such assessment heretofore paid," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the mayor of the city of New York.

A communication was received from Hon. Roscoe Irwin, mayor of the city of Kingston, returning Assembly bill (No. 1141, Senate Reprint No. 1709, Int. No. 1015), entitled "An act to amend chapter seven hundred and forty-seven of the Laws of eighteen hundred and ninety-six, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a city court therein and define its jurisdiction and powers,' generally," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. A. E. Smith, the House adjourned.

TUESDAY, JUNE 27, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Edward R. James, Rensselaer.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

To the Assembly:

ALBANY, June 26, 1911.

I herewith return, without my approval, Assembly bill (Printed No. 1865), entitled "An act to amend the Insanity Law, relative to wages of certain employees of State hospitals."

If the financial condition of the State warranted it at this time I would be glad to give this bill my approval. The object is certainly a worthy one, but involving as it does an additional large appropriation to meet the provisions of the bill, and knowing the rigid necessity for economy, I am forced to return this bill without my approval.

JOHN A. DIX.

On motion of Mr. Manley, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

To the Assembly:

ALBANY, June 27, 1911.

I herewith return, without my approval, Assembly bill (Printed No. 2103), entitled "An act to provide for the rebuilding of a bridge across South bay in the county of Washington, and making an appropriation therefor."

This bill appropriates the sum of \$50,000 for the purpose of building a bridge across South bay in the county of Washington. There is no obligation on the part of the State to build this bridge and owing to the condition of State finances I consider that the State should not at this time make this appropriation, in view of the fact that the State highway which it is intended to make effective cannot, in the regular course of construction, be completed so as to make this bridge useful for several years. I therefore disapprove the bill.

JOHN A. DIX.

On motion of Mr. J. S. Parker, said message together with said bill was ordered laid upon the table.

Mr. A. E. Smith gives notice that he requests that Senate bill introduced by Mr. Frawley (No. 1284, Rec. No. 429), entitled "An act to amend the Judiciary Law, in relation to the confidential attendants of the justices of the Supreme Court in the first department," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Boylan gives notice that he requests that Senate bill introduced by Mr. McManus (No. 1256, Rec. No. 168), entitled "An act to amend the Penal Law, relative to appointment of special officers, and of making arrest without lawful authority," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Myers gives notice that he requests that Senate bill introduced by Mr. White (No. 1890, Rec. No. 443), entitled "An act authorizing the city of Schenectady and the General Electric Company to enter into an agreement for determining the boundary line between the premises of the General Electric Company and the public streets at or near the junction of Washington avenue, Edison avenue and the River road, and to exchange lands in fulfillment thereof," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that Senate bill introduced by Mr. Frawley (No. 1800, Rec. No. 360), entitled "An act to amend section eight of chapter four hundred and twelve of the Laws of nineteen hundred and seven, entitled 'An act providing for the court of general sessions of the city and county of New York, its judges and officers,'" a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that Senate bill

introduced by Mr. Frawley (No. 1904, Rec. No. 428), entitled "An act in relation to the management of the New York Training School for Boys, and the control of inmates committed thereto," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Myers gives notice that he requests that Senate bill introduced by Mr. White (No. 1906, Rec. No. 444), entitled "An act to amend the General City Law, in relation to powers of cities of the second and third class in respect to providing moneys for certain purposes," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Donnelly gives notice that he requests that Senate bill introduced by Mr. Cronin (No. 1947, Rec. No. 426), entitled "An act to amend the Domestic Relations Law, in relation to the solemnization of marriages," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Oliver gives notice that he requests that Senate bill introduced by Mr. Stilwell (No. 1780, Rec. No. 416), entitled "An act to amend chapter three hundred and thirty-six of the Laws of nineteen hundred and three, entitled 'An act to provide for the erection of a courthouse in the county of New York, and authorizing the acquisition of a site therefor,' a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Goldberg gives notice that he requests that Assembly bill (No. 1640, Senate Reprint No. 1915, Int. No. 517), entitled "An act to amend the Liquor Tax Law, in relation to application for liquor tax certificates for certain premises within two hundred feet of a church or schoolhouse," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Martin gives notice that he requests that Assembly bill (No. 2400, Int. No. 1918), entitled "An act to amend the Penal Law, in relation to traction engines and dangerous animals on the highways of cities and villages," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that Senate bill introduced by Mr. Frawley (No. 1284, Rec. No. 429), entitled "An act to amend section fifty-five of chapter four hundred and eleven of the Laws of nineteen hundred and seven, entitled 'An act to amend chapter three of title five of part one of the Code of Criminal Procedure of the State of New York, entitled "the court of general sessions in the city and county of New York," "' a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that Assembly bill (No. 1899, Int. No. 1573), entitled "An act providing for the re-establishment of the State library, the furnishing of the Education building, and the temporary equipment and supplies for the State Education Department and making appropriations therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

| | | | | |
|----------|-----------|-------------|-------------|------------|
| Adler | Cuvillier | Hackett | McDaniels | Shepardson |
| Ahern | Dawson | Haines | McElligott | Shortt |
| Allen | Day | Hammond | McGrath | Smith A E |
| Baumes | DeLano | Hart | McKeon | Smith T K |
| Beach | Donnelly | Hearn | Merritt | Spielberg |
| Blauvelt | Drummond | Herrick J J | Miller | Stivers |
| Boylan | Ebbetts | Herrick W R | Moneczynski | Sullivan |
| Brace | Egan | Heyman | Mork | Sweet |
| Brennan | Evans | Higgins | Murray | Talmage |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Brereton | Farrell | Hoey | Myers | Terry |
| Bridenbecker | Fay | Hollmann | Neupert | Thorn |
| Brooks | Filley | Hoyt | Nolan | Turley |
| Brown | Fitzpatrick | Huber | O'Connor | Walker |
| Bryant | Foley | Jackson | Oliver | Ward |
| Bush | Friedman | Jameson | O'Neill J J | Warren |
| Butler | Fry | Kennedy | O'Neil M A | Washburn |
| Carew | Geatons | Keys | Parker A | Waters R B |
| Caughlan | Gerhardt | Kopp | Parker J S | Weil |
| Chanler | Gerken | Lansing | Patrie | Wende |
| Cheney | Gillen | LaReau | Phillips C W | Wheeler |
| Coffey | Goldberg | Lent | Phillips J S | Wilson |
| Collin | Goldstein | Levy A J | Saunders | Winters |
| Colné | Goodman | Levy J | Schifferdecker | Yale |
| Connell | Gould | MacGregor | Seeley | Young |
| Constantine | Graubard | Manley | Shannon | Zorn |
| Cosad | Gregg | Martin | Sheide | Speaker |
| Cross | Gurnett | McCue | | |

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. McManus (No. 1256, Rec. No. 168), entitled "An act to amend the Penal Law, relative to appointment of special officers, and of making arrest without lawful authority."

Also, Senate bill introduced by Mr. Frawley (No. 1284, Rec. No. 429), entitled "An act to amend the Judiciary Law, in relation to the confidential attendants of the justices of the Supreme Court in the first department."

Also, Senate bill introduced by Mr. Frawley (No. 1800, Rec. No. 360), entitled "An act to amend section eight of chapter four hundred and twelve of the Laws of nineteen hundred and seven, entitled 'An act providing for the court of general sessions of the city and county of New York, its judges and officers.'"

Also, Senate bill introduced by Mr. White (No. 1890, Rec. No. 443), entitled "An act authorizing the city of Schenectady and the General Electric Company to enter into an agreement for determining the boundary line between the premises of the General Electric Company and the public streets at or near the junction of Washington avenue, Edison avenue and the River road, and to exchange lands in fulfillment thereof."

Also, Senate bill introduced by Mr. White (No. 1906, Rec. No. 444), entitled "An act to amend the General City Law, in relation to powers of cities of the second and third class in respect to providing moneys for certain purposes."

Also, Senate bill introduced by Mr. Frawley (No. 1904, Rec. No. 428), entitled "An act in relation to the management of the New York State Training School for Boys, and the control of inmates committed thereto."

Also, Senate bill introduced by Mr. Cronin (No. 1947, Rec. No. 426), entitled "An act to amend the Domestic Relations Law, in relation to the solemnization of marriages."

Also, Senate bill introduced by Mr. Stilwell (No. 1780, Rec. No. 416), entitled "An act to amend chapter three hundred and thirty-six of the Laws of nineteen hundred and three, entitled 'An act to provide for the erection of a courthouse in the county of New York, and authorizing the acquisition of a site therefor,'" reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Goldberg (No. 1640, Senate No. 1915, Int. No. 517), entitled "An act to amend the Liquor Tax Law, in relation to application for liquor tax certificates for certain premises within two hundred feet of a church or schoolhouse," reported in favor of concurring in the Senate amendments and that the same be made a special order immediately, which report was agreed to, and said bill ordered made a special order immediately.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Frawley (No. 1286, Rec. No. 396), entitled "An act to amend section fifty-five of chapter four hundred and eleven of the Laws of nineteen hundred and ten, entitled 'An act to amend chapter three of title five of part one of the Code of Criminal Procedure of the State of

New York, entitled "the court of general sessions in the city and county of New York," " " reported in favor of the passage of the same, with the following amendments:

In title, after the word "and " strike out the word "ten" and insert the word "seven".

Page 1, line 2, after the word "and." strike out the word "ten" and insert the word "seven".

and that the same be reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after consideration of the special orders on third reading theretofore reported, which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Martin (No. 2400, Int. No. 1918), entitled "An act to amend the Penal Law, in relation to traction engines and dangerous animals on the highways of cities and villages," reported in favor of the passage of the same, with the following amendments:

Page 1, line 10, after the word "Shall " insert in italics "except in incorporated villages and cities".

Page 2, lines 1, 2, and 3, strike out italicized words and brackets.

and that the same be reprinted, as amended, and when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported, which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. A. E. Smith (No. 1899, Int. No. 1573), entitled "An act providing for the re-establishment of the State library, the furnishing of the Education building, and the temporary equipment and supplies for the State Education Department and making appropriations therefor," reported the same with the following amendments:

On page 2, strike out all of line 21.

Page 2, line 22, strike out to and including the word "sum".

Page 3, strike out sections 2 and 3.

and requests that said bill be reprinted, as amended, and recommitted to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. A. E. Smith, from the committee on ways and means, to which was referred Assembly bill introduced by Mr. A. E. Smith (No. 2421, Int. No. 1927), entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations," reported the following substitute bill:

(See Appendix No. 28.)

and requests that said substitute bill be printed and recommitted to said committee, which report was agreed to, and said substitute bill ordered printed and recommitted to said committee.

The bill (No. 2542, Int. No. 1481) entitled "An act to amend the Election Law, generally," having been announced,

Mr. Murray moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith, amended as follows:

On page 7, line 5, after the word "registered" add the words "legally entitled to register" in italics.

On page 7, line 12, after the word "testimony" and before the word "of" insert the words "under oath".

On page 7, line 17, strike out the word "five" and substitute the word "Thirty".

On page 7, line 18, after the word "are" strike out all that follows down to the word "forged" on line 19; on line 19 strike out period after "forged" and add after the word "forged" the

following: "are those of electors who have made an untrue oath as to their residence or intention" in italics.

On page 8, line 22, after the word "construction" and before the word "validity" insert the word "sufficiency".

On page 8, line 23, strike out the word "application" and substitute the words "duly verified petition" in italics.

On page 9, line 16, after the syllabus "jection" and before the word "to" insert the words "duly verified" in italics.

On page 9, line 23, after the word "objection" add the words "duly verified".

On page 10, line 1, after the word "objection" and before the word "to" insert "duly verified" in italics.

On page 10, line 5, after syllable "tions" and before the word "to" insert "duly verified" in italics.

On page 12, line 6, strike out the bracket and strike out the words "containing a population of" and on line 7 strike out the words "one million or over" and insert after "cities" on line 6 and before "any" on line 7 "and counties and other smaller political divisions" in italics.

On line 9, strike out the bracket and all words in italics.

On lines 10 and 11, strike out all words in italics.

On page 34, line 12, strike out the bracket and the words "all such"; in place of the words "all such" substitute the word "The".

On line 12, after "elections" and before "shall" insert the words "in the city of New York".

On page 34, line 16, strike out bracket.

On page 34, line 18, strike out "and" and substitute the word "except".

On page 34, line 19, strike out the words "by the board of aldermen of such city".

On page 34, line 21, strike out "and the members of the board of aldermen of the city of New York".

On page 34, line 23, strike out "and" and after "counties" and before "the" insert the words "except counties in" in italics.

On page 34, line 24, strike out "the board".

On same page, line 25, strike out "of aldermen" and in place of the words "the board of aldermen" on lines 24 and 25 substitute the words "the mayor" in italics.

On page 35, line 1, after "We," insert "I" in italics.

Line 2, strike out "members of the board of aldermen" and in place thereof substitute the word "mayor" in italics.

On line 6 after "We" and before "have" insert "I" in italics.

On line 7, after "represent" and before "this" insert "(my name)" in italics.

On page 36, line 5, strike out "members of the board of aldermen" and in place of said words substitute the word "mayor" in italics.

On page 37, line 25, strike out "board of".

On page 38, line 1, strike out "alderman" and substitute for "aldermen" the word "mayor" in italics.

On page 39, line 19, strike out "board of aldermen" and substitute the word "mayor" in italics.

On page 40, line 8, strike out "board of aldermen" and substitute the words "mayor of the city of New York".

On line 9, strike out the brackets and after the word "mayor" and before "board" insert the word "or" in italics.

On line 11, after the brackets and before "of" insert the words "of the mayor or" in italics.

On page 41, line 1, strike out "at pleasure".

On page 48, strike out all words in italics on lines 25, 26 and 27.

On page 49, strike out all words in italics on lines 4, 5, 6, 7 and 8.

On page 51, strike out all words in italics on lines 18, 19, 20, 21, 22, 23 and strike out brackets on lines 23 and 24 and strike out on line 24 "one-half".

On page 52, line 7, strike out brackets and "one-half".

On page 52, line 22, strike out entire line.

On page 53, strike out all words in italics on lines 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26.

On page 56, lines 15, 16, 17, strike out all words in italics.

On page 60, line 7, strike out "qualified elector of the" and substitute therefor the words "citizen of the United States twenty-one years of age and a resident of the city or" in italics.

On page 60, line 8, after "he" and before "is" insert the words "or she" in italics.

On page 60, line 24, strike out "qualified elector of the" and substitute the words "citizen of the United States twenty-one years of age and a resident of the city or" in italics.

On page 70, line 4, strike out "printed" and substitute the word "nominated" in italics.

On line 4, strike out period after "circle" and after the word "circle" add the words "whether printed in the column under said circle or not".

Debate was had thereon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 61

NOES 77

Those who voted in the affirmative were:

| | | | | |
|----------|-------------|-----------|--------------|------------|
| Adler | Constantine | Hollmann | Pappert | Sweet |
| Ahern | Cross | Huber | Parker J S | Talmage |
| Allen | DeLano | Jones | Phillips C W | Thorn |
| Baumes | Ebbetts | Keys | Phillips J S | Ward |
| Brereton | Filley | Kopp | Pierce | Waring |
| Brooks | Fry | Lansing | Shannon | Waters R B |
| Brown | Goodman | Lent | Shepardson | Wheeler |
| Bryant | Haines | MacGregor | Shlivek | Wilson |
| Butler | Hammond | Merritt | Short | Winters |
| Cheney | Hart | Murray | Smith T K | Yale |
| Coffey | Higgins | Nolan | Stivers | Yeomans |
| Colné | Hoff | O'Connor | Sullivan | Young |
| Connell | | | | |

Those who voted in the negative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Beach | Egan | Gurnett | Martin | Patrie |
| Blauvelt | Evans | Hackett | McCue | Saunders |
| Boylan | Farrell | Hearn | McDaniels | Schifferdecker |
| Brace | Fay | Herrick J J | McElligott | Seeley |
| Brennan | Fitzpatrick | Herrick W R | McGrath | Sheide |
| Bridenbecker | Foley | Heyman | McKeon | Smith A E |
| Bush | Friedman | Hoe | Miller | Spielberg |
| Carew | Geatons | Hoyt | Monezynski | Terry |
| Caughlan | Gerhardt | Jackson | Mork | Turley |
| Chanler | Gerken | Jameson | Myers | Walker |
| Collin | Gillen | Kennedy | Neupert | Warren |
| Cosad | Goldberg | LaReau | Oliver | Washburn |
| Cuvillier | Goldstein | Levy A J | O'Neill J J | Weil |
| Dawson | Gould | Levy J | O'Neil M A | Wende |
| Day | Graubard | Manley | Parker A | Zorn |
| Donnelly | Gregg | | | |

Mr. Adler moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith, amended as follows:

Page 81, line 10, after the word "electors" insert the words "voting on the proposition".

Debate was had thereon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 59

NOES 80

Those who voted in the affirmative were:

| | | | | |
|----------|-------------|-----------|--------------|------------|
| Adler | Constantine | Hollmann | Pappert | Sweet |
| Ahern | Cross | Huber | Parker J S | Talmage |
| Allen | DeLano | Jones | Phillips C W | Thorn |
| Brereton | Ebbetts | Keys | Phillips J S | Ward |
| Brooks | Fillee | Kopp | Pierce | Waring |
| Brown | Goodman | Lansing | Shannon | Waters R B |
| Bryant | Haines | Lent | Shea | Wilson |
| Butler | Hammond | MacGregor | Shepardson | Winters |
| Cheney | Hart | Meritt | Shlivek | Yale |
| Coffey | Higgins | Murray | Smith T K | Yeomans |
| Colné | Hinman | Nolan | Stivers | Young |
| Connell | Hoff | O'Connor | Sullivan | |

Those who voted in the negative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Beach | Drummond | Gregg | Martin | Saunders |
| Blauvelt | Egan | Gurnett | McCue | Schifferdecker |
| Boylan | Evans | Hackett | McDaniels | Seeley |
| Brace | Farrell | Hearn | McElligott | Sheide |
| Brennan | Fay | Herrick J J | McGrath | Shortt |
| Bridenbecker | Fitzpatrick | Herrick W R | McKeon | Smith A E |
| Bush | Foley | Heyman | Miller | Spielberg |
| Carew | Friedman | Hoey | Monczynski | Terry |
| Caughlan | Geatons | Hoyt | Mork | Turly |
| Chanler | Gerhardt | Jackson | Myers | Walker |
| Collin | Gerken | Jameson | Neupert | Warren |
| Cosad | Gillen | Kernedy | Oliver | Washburn |
| Cuvillier | Goldberg | LaReau | O'Neill J J | Weil |
| Dawson | Goldstein | Levy A J | O'Neil M A | Wende |
| Day | Gould | Levy J | Parker A | Wheeler |
| Donnelly | Graubard | Manley | Patrie | Zorn |

Mr. Hammond moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith, amended as follows:

On page 80, line 24, after the period, strike out the remainder of line 24, all of lines 25 and 26 and all of lines 1, 2 and 3 on page 81.

On page 81, line 4, after the word "at" strike out "the" and insert in the place thereof the word "any" and after the word "election" on same line strike out the words "to be"

After the word "held" in the same line strike out "in the year nineteen hundred and eleven" and insert in the place thereof the words "after the passage of this act".

Page 81, line 6, strike out the word "shall" and insert "may".

Page 81, line 9, after the word "the" at the end of the line insert the words "votes cast at such election upon such proposition be".

Page 81, line 10, strike out "electors shall vote".

Debate was had thereon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 61

NOES 77

Those who voted in the affirmative were:

| | | | | |
|----------|-------------|-----------|--------------|------------|
| Adler | Constantine | Hollmann | Pappert | Sweet |
| Ahern | Cross | Huber | Parker J S | Talmage |
| Allen | DeLano | Jones | Phillips C W | Thorn |
| Baumes | Ebbetts | Keys | Phillips J S | Ward |
| Brereton | Filley | Kopp | Pierce | Waring |
| Brooks | Fry | Lansing | Shannon | Waters R B |
| Brown | Goodman | Lent | Shepardson | Wheeler |
| Bryant | Haines | MacGregor | Shlivek | Wilson |
| Butler | Hammond | Merritt | Shortt | Winters |
| Cheney | Hart | Murray | Smith T K | Yale |
| Coffey | Higgins | O'Connor | Stivers | Yeomans |
| Colné | Hoff | Oliver | Sullivan | Young |
| Connell | | | | |

Those who voted in the negative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Beach | Donnelly | Gregg | Manley | Patrie |
| Blauvelt | Evans | Gurnett | Martin | Saunders |
| Boylan | Farrell | Hackett | McCue | Schifferdecker |
| Brace | Fay | Hearn | McDaniels | Seeley |
| Brennan | Fitzpatrick | Herrick J J | McElligott | Sheide |
| Bridenbecker | Foley | Herrick W R | McGrath | Smith A E |
| Bush | Friedman | Heyman | McKeon | Spielberg |
| Carew | Geatons | Hoey | Miller | Terry |
| Caughlan | Gerhardt | Hoyt | Monezynski | Turley |
| Chanler | Gerken | Jackson | Mork | Walker |
| Collin | Gillen | Jameson | Myers | Warren |
| Cosad | Goldberg | Kennedy | Neupert | Washburn |
| Cuvillier | Goldstein | LaReau | O'Neill J J | Weil |
| Dawson | Gould | Levy A J | O'Neil M A | Wende |
| Day | Graubard | Levy J | Parker A | Zorn |

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 76

NOES 63

Those who voted in the affirmative were:

| | | | | |
|----------|---------|---------|------------|----------------|
| Blauvelt | Egan | Gurnett | McCue | Schifferdecker |
| Boylan | Evans | Hackett | McElligott | Seeley |
| Brace | Farrell | Hearn | McGrath | Sheide |

| | | | | |
|--------------|-------------|-------------|-------------|-----------|
| Brennan | Fay | Herrick J J | McKeon | Smith A E |
| Bridenbecker | Fitzpatrick | Herrick W R | Miller | Spielberg |
| Bush | Foley | Heyman | Monezynski | Terry |
| Carew | Geatons | Hoey | Mork | Turley |
| Caughlan | Gerhardt | Hoyt | Myers | Walker |
| Chanler | Gerken | Jackson | Neupert | Warren |
| Collin | Gillen | Jameson | Oliver | Washburn |
| Cosad | Goldberg | LaReau | O'Neill J J | Weil |
| Cuvillier | Goldstein | Levy A J | O'Neil M A | Wende |
| Dawson | Gould | Levy J | Parker A | Wheeler |
| Day | Graubard | Manley | Patrie | Zorn |
| Donnelly | Gregg | Martin | Saunders | Speaker |
| Drummond | | | | |

Those who voted in the negative were :

| | | | | |
|----------|-------------|-----------|--------------|------------|
| Adler | Connell | Hoff | O'Connor | Sullivan |
| Ahern | Constantine | Huber | Pappert | Sweet |
| Allen | Cross | Jones | Parker J S | Talmage |
| Baumes | DeLano | Kennedy | Phillips C W | Thorn |
| Beach | Ebbetts | Keys | Phillips J S | Ward |
| Brereton | Filley | Kopp | Pierce | Waring |
| Brooks | Friedman | Lansing | Shannon | Waters R B |
| Brown | Fry | Lent | Shepardson | Wilson |
| Bryant | Goodman | MacGregor | Shlivek | Winters |
| Butler | Haines | McDaniels | Shortt | Yale |
| Cheney | Hammond | Merritt | Smith T K | Yeomans |
| Coffey | Hart | Murray | Stivers | Young |
| Colné | Higgins | Nolan | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

On motion of Mr. A. E. Smith, the consideration of Senate bill (No. 737, Rec. No. 82), entitled "An act to amend chapter three hundred and sixty-nine of the Laws of eighteen hundred and ninety-five, entitled 'An act creating a commissioner of jurors for each county of the State, having a certain population, and regulating and prescribing his duties; also providing in what manner jury lists shall be made up and jurors drawn and notified in the courts of record in such counties, and how they may be exempted or excused, and the length of service of such jurors generally,' in relation to the deposit of names in the jury box and the qualification of jurors."

Also, Assembly bill (No. 2543, Int. No. 1123), entitled "An act to amend the Liquor Tax Law, in relation to obstructions in windows."

Also, Assembly bill (No. 2544, Int. No. 1336), entitled "An act to amend the Labor Law, in relation to mercantile establishments."

Also, Assembly bill (No. 2518, Int. No. 1928), entitled "An act creating a railway terminal station commission of the city of Buffalo, defining its powers and authorizing said city to issue its bonds."

Also, Senate bill (No. 834, Rec. No. 251), entitled "An act authorizing the city of Buffalo to enter into contract with the Lehigh Valley Railway Company for the purpose of improving the terminals of said railroad company in said city, to make changes in existing grade crossing structures, to alter, discontinue, contract, close, abandon and change the grade and course of streets, alleys and public grounds, and to take, hold, convey and exchange real and personal property in accordance with such contract or contracts."

Also, Senate bill (No. 1613, Rec. No. 371), entitled "An act to amend the Second Class Cities Law, relative to designation of official papers."

Also, Assembly bill (No. 2515, Int. No. 713), entitled "An act to create a commission to inquire into the extent and nature of the practice of experimentation on living animals, and the condition of the laws of the State relative to the proper protection of scientific experiments without danger of unnecessary cruelty, and making an appropriation therefor."

Also, Assembly bill (No. 2545, Int. No. 1247), entitled "An act to amend the Liquor Tax Law, in relation to the issuance and limitation of certificates."

Also, Assembly bill (No. 1298, Int. No. 352), entitled "An act to amend the Forest, Fish and Game Law, in relation to the protection of wild birds."

Also, Senate bill (No. 748, Rec. No. 353), entitled "An act to amend chapter six hundred and fifty of the Laws of nineteen hundred and four, entitled 'An act to revise the charter of the city of Rome,' generally."

Also, Senate bill (No. 1856, Assembly Reprint No. 2523, Rec. No. 343), entitled "An act to amend the Penal Law, in relation to false or misleading advertisements or statements as to or in connection with the sale of real estate."

Also, Senate bill (No. 1780, Rec. No. 416), entitled "An act to amend chapter three hundred and thirty-six of the Laws of

nineteen hundred and three, entitled "An act to provide for the erection of a courthouse in the county of New York, and authorizing the acquisition of a site therefor."

Also, Senate bill (No. 1256, Rec. No. 168), entitled "An act to amend the Penal Law, relative to appointment of special officers and of making arrests without lawful authority."

Also, Assembly bill (No. 1640, Senate Reprint No. 1915, Int. No. 517), entitled "An act to amend the Liquor Tax Law, in relation to applications for liquor tax certificates for certain premises within two hundred feet of a church or schoolhouse,"

And Assembly bill (No. 1221, Int. No. 1056), entitled "An act authorizing the city of Buffalo to enter into contract with the Delaware, Lackawanna and Western Railroad Company and the New York, Lackawanna and Western Railway Company, or either of them, for the purpose of securing adequate and proper freight and passenger terminals of said company or companies and to carry out and perform the provisions of said contract or contracts and the terms and conditions incidental, including the purchase, sale or exchange of properties and the closing, discontinuance, alteration or relocation of streets, alleys or public grounds, or parts thereof, in said city," was postponed until Wednesday, June 28th.

Mr. Speaker announced the special order, being the Senate bill (No. 530, Rec. No. 361), entitled "An act amending the Greater New York charter, relative to retirement from active service of officers, clerks and employees."

On motion of Mr. Foley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 113

NOES 3

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Gurnett | McElligott | Shepardson |
| Allen | Dawson | Hackett | McKeon | Smith A E |
| Beach | Day | Haines | Merritt | Spielberg |
| Blauvelt | DeLano | Hammond | Monczynski | Stivers |
| Boylan | Donnelly | Hart | Mork | Sullivan |
| Brace | Drummond | Hearn | Myers | Talmage |
| Brennan | Egan | Herrick J J | Neupert | Terry |
| Brereton | Evans | Herrick W R | Nolan | Thorn |
| Bridenbecker | Farrell | Higgins | O'Connor | Turley |
| Brooks | Fay | Hoey | Oliver | Walker |
| Bryant | Filley | Hollmann | O'Neill J J | Ward |
| Bush | Fitzpatrick | Jackson | O'Neil M A | Warren |
| Butler | Foley | Jameson | Parker A | Washburn |
| Carew | Friedman | Kennedy | Parker J S | Waters R B |
| Caughlan | Fry | Keys | Patrie | Weil |
| Chanler | Geatons | La'sing | Phillips C W | Wende |
| Cheney | Gerhardt | LaReau | Phillips J S | Wheeler |
| Coffey | Goldberg | Lent | Saunders | Wilson |
| Collin | Goldstein | MacGregor | Schifferdecker | Winters |
| Connell | Goodman | Manley | Seeley | Yale |
| Constantine | Gould | Martin | Shannon | Young |
| Cosad | Graubard | McCue | Sheide | Zorn |
| Cross | Gregg | McDaniels | | |

Those who voted in the negative were:

| | | |
|-------|---------|--------|
| Colné | Ebbetts | Murray |
|-------|---------|--------|

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2522, Int. No. 1583), entitled "An act to amend the Greater New York charter, in relation to push-cart peddlers and the powers of the board of aldermen and the board of estimate and apportionment in respect thereto."

Said bill having been announced,

Mr. Graubard moved to amend as follows:

On page 3, line 25, strike out all of the words after the word "owners".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the special order of second and third reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1906, Rec. No. 444), entitled "An act to amend the General

City Law, in relation to powers of cities of the second and third class in respect to providing moneys for certain purposes."

On motion of Mr. Myers, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 112

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Gurnett | McElligott | Sheide |
| Ahern | Day | Hackett | McKeon | Shepardson |
| Baumes | DeLano | Haines | Merritt | Smith A E |
| Blauvelt | Donnelly | Hammond | Monezynski | Spielberg |
| Boylan | Drummond | Hart | Mork | Stivers |
| Brace | Ebbetts | Hearn | Murray | Sullivan |
| Brennan | Egan | Herrick J J | Myers | Talmage |
| Brereton | Evans | Herrick W R | Neupert | Terry |
| Bridenbecker | Farrell | Higgins | Nolan | Thorn |
| Brooks | Fay | Hoey | O'Connor | Turley |
| Bryant | Filley | Hollmann | Oliver | Walker |
| Bush | Fitzpatrick | Jackson | O'Neill J J | Ward |
| Butler | Foley | Jameson | O'Neil M A | Warren |
| Carew | Friedman | Kennedy | Parker A | Washburn |
| Caughlan | Fry | Keys | Parker J S | Waters R B |
| Chanler | Geatons | LaReau | Patrie | Weil |
| Cheney | Gerhardt | Lent | Phillips C W | Wende |
| Coffey | Goldberg | MacGregor | Phillips J S | Wheeler |
| Collin | Goldstein | Manley | Saunders | Wilson |
| Colné | Goodman | Martin | Schifferdecker | Winters |
| Constantine | Gould | McCue | Seeley | Yale |
| Cross | Graubard | McDaniels | Shannon | Zorn |
| Cuvillier | Gregg | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1890, Rec. No. 443), entitled "An act authorizing the city of Schenectady and the General Electric Company to enter into an agreement for determining the boundary line between the premises of the General Electric Company and the public streets

at or near the junction of Washington avenue, Edison avenue and the River road, and to exchange lands in fulfillment thereof."

On motion of Mr. Myers, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 114

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Gurnett | McElligott | Shepardson |
| Allen | Day | Hackett | McKeon | Smith A E |
| Bach | DeLano | Haines | Merritt | Spielberg |
| Blauvelt | Donnelly | Hammond | Monczynski | Stivers |
| Boylan | Drummond | Hart | Mork | Sullivan |
| Brace | Ebbetts | Hearn | Murray | Talmage |
| Brennan | Egan | Herrick J J | Myers | Terry |
| Brereton | Evans | Herrick W R | Neupert | Thorn |
| Bridenbecker | Farrell | Higgins | Nolan | Turley |
| Brooks | Fay | Hoey | O'Connor | Walker |
| Bryant | Filley | Hollmann | Oliver | Ward |
| Bush | Fitzpatrick | Jackson | O'Neill J J | Warren |
| Butler | Foley | Jameson | O'Neil M A | Washburn |
| Carew | Friedman | Kennedy | Parker A | Waters R B |
| Caughlan | Fry | Keys | Parker J S | Weil |
| Chanler | Geatons | Lansing | Patrie | Wende |
| Cheney | Gerhardt | LaReau | Phillips C W | Wheeler |
| Coffey | Goldberg | Lent | Phillips J S | Wilson |
| Collin | Goldstein | MacGregor | Saunders | Winters |
| Colné | Goodman | Manley | Schifferdecker | Young |
| Constantine | Gould | Martin | Seeley | Yale |
| Cross | Graubard | McCue | Shannon | Zorn |
| Cuvillier | Gregg | McDaniels | Sheide | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1947, Rec. No. 426), entitled "An act to amend the Domestic Relations Law, in relation to the solemnization of marriages."

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 114

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Gurnett | McElligott | Shepardson |
| Allen | Day | Hackett | McKeon | Smith A E |
| Beach | DeLano | Haines | Merritt | Spielberg |
| Blauvelt | Donnelly | Hammond | Monczynski | Stivers |
| Boylan | Drummond | Hart | Mork | Sullivan |
| Brace | Ebbetts | Hearn | Murray | Talmage |
| Brennan | Egan | Herrick J J | Myers | Terry |
| Brereton | Evans | Herrick W R | Neupert | Thorn |
| Bridenbecker | Farrell | Higgins | Nolan | Turley |
| Brooks | Fay | Hoey | O'Connor | Walker |
| Bryant | Filley | Hollmann | Oliver | Ward |
| Bush | Fitzpatrick | Jackson | O'Neill J J | Warren |
| Butler | Foley | Jameson | O'Neil M A | Washburn |
| Carew | Friedman | Kennedy | Parker A | Waters R B |
| Caughlan | Fry | Keys | Parker J S | Weil |
| Chanler | Geatons | Lansing | Patrie | Wende |
| Cheney | Gerhardt | LaReau | Phillips C W | Wheeler |
| Coffey | Goldberg | Lent | Phillips J S | Wilson |
| Collin | Goldstein | MacGregor | Saunders | Winters |
| Colné | Goodman | Manley | Schifferdecker | Yale |
| Constantine | Gould | Martin | Seeley | Young |
| Cross | Graubard | McCue | Shannon | Zorn |
| Cuvillier | Gregg | McDaniels | Sheide | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1284, Rec. No. 429), entitled "An act to amend the Judiciary Law, in relation to the confidential attendants of the justices of the Supreme Court in the first department."

On motion of Mr. A. J. Levy, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 113

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Gurnett | McElligott | Shepardson |
| Allen | Day | Hackett | McKeon | Smith A E |
| Beach | DeLano | Haines | Merritt | Spielberg |
| Blauvelt | Donnelly | Hammond | Monczynski | Stivers |
| Boylan | Drummond | Hart | Mork | Sullivan |
| Brace | Ebbetts | Hearn | Myers | Talmage |
| Brennan | Egan | Herrick J J | Neupert | Terry |
| Brereton | Evans | Herrick W R | Nolan | Thorn |
| Bridenbecker | Farrell | Higgins | O'Connor | Turley |
| Brooks | Fay | Hoey | Oliver | Walker |
| Bryant | Filley | Hollmann | O'Neill J J | Ward |
| Bush | Fitzpatrick | Jackson | O'Neil M A | Warren |
| Butler | Foley | Jameson | Parker A | Washburn |
| Carew | Friedman | Kennedy | Parker J S | Waters R B |
| Caughlan | Fry | Keys | Patrie | Weil |
| Chanler | Geatons | Lansing | Phillips C W | Wende |
| Cheney | Gerhardt | LaReau | Phillips J S | Wheeler |
| Coffey | Goldberg | Lent | Saunders | Wilson |
| Collin | Goldstein | MacGregor | Schifferdecker | Winters |
| Colné | Goodman | Manley | Seeley | Yale |
| Constantine | Gould | Martin | Shannon | Young |
| Cosad | Graubard | McCue | Sheide | Zorn |
| Cuvillier | Gregg | McDaniels | | |

In the negative:

Murray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1904, Rec. No. 428), entitled "An act in relation to the management of the New York State Training School for Boys, and the control of inmates committed thereto."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 115

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Gregg | McDaniels | Sheide |
| Allen | Dawson | Gurnett | McElligott | Shepardson |
| Beach | Day | Hackett | McKeon | Smith A E |
| Blauvelt | DeLano | Haines | Merritt | Spielberg |
| Boylan | Donnelly | Hammond | Monczynski | Stivers |
| Brace | Drummond | Hart | Mork | Sullivan |
| Brennan | Ebbetts | Hearn | Murray | Talmage |
| Brereton | Egan | Herrick J J | Myers | Terry |
| Bridenbecker | Evans | Herrick W R | Neupert | Thorn |
| Brooks | Farrell | Higgins | Nolan | Turley |
| Bryant | Fay | Hoey | O'Connor | Walker |
| Bush | Filley | Hollmann | Oliver | Ward |
| Butler | Fitzpatrick | Jackson | O'Neill J J | Warren |
| Carew | Foley | Jameson | O'Neil M A | Washburn |
| Caughlan | Friedman | Kennedy | Parker A | Waters R B |
| Chanler | Fry | Keys | Parker J S | Weil |
| Cheney | Geatons | Lansing | Patrie | Wende |
| Coffey | Gerhardt | LaReau | Phillips C W | Wheeler |
| Collin | Goldberg | Lent | Phillips J S | Wilson |
| Colné | Goldstein | MacGregor | Saunders | Winters |
| Constantine | Goodman | Manley | Schifferdecker | Yale |
| Cosad | Gould | Martin | Seeley | Young |
| Cross | Graubard | McCue | Shannon | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the Assembly bill (No. 2304, Senate Reprint No. 1986, Int. No. 862), entitled "An act to amend chapter one hundred and seventy-one of the Laws of nineteen hundred and four, entitled 'An act to provide for the continuance of the office of commissioner of records of the county of Kings, and for the completion and care of the block indexes and reindexing plant, and for the care and preservation of the county records, old town and other records,' in relation to the term of office of the commissioner and appointment of his successor," with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 17, insert comma after the word "signed" at the end of the line, old matter.

Page 2, line 18, strike out the word "the" before the word "said".

Page 2, line 18, strike out the semi-colon after the word "judges" and insert in its place a comma, the same to be inclosed in brackets.

Page 2, line 24, insert the word "said" before the words "county judges" within the brackets, old matter.

Page 2, line 25, italicize the words "then in office".

Page 3, line 19, italicize the words "in said office".

Objection being made to the immediate consideration of said message,

Ordered, That the same be referred to the committee on rules.

The Senate returned the Assembly bill (No. 1146, Senate Reprint No. 1898, Int. No. 1020), entitled "An act to amend chapter five hundred and sixty-four of the Laws of nineteen hundred and two, entitled 'An act in relation to jurors, and to the appointment and duties of a commissioner of jurors in the county of Kings,'" with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 8, insert a comma after the word "Kings", old matter.

Page 2, line 1, italicize the comma after the word "surrogate".

Page 2, line 4, add the letter "s" to the word "member" making it plural, old matter.

Page 2, line 7, insert a comma after the word "shall"; strike out the letter "a" after the word "by", old matter.

Page 2, line 8, insert a comma after the word "hands" where it first occurs in the line, old matter.

Page 2, line 13, insert between the words "resignation" and "removal" the word "or", old matter.

Page 2, line 14, insert a comma after the word "office", old matter.

Page 2, line 20, insert a comma after the word "commissioner" and also a comma after the word "aforesaid", old matter.

Page 2, line 21, strike out the comma after the word "court", old matter.

Page 3, line 7, insert within the brackets after the word "act" a comma and the capital letter "T"; italicize the capital letter "T" in the word "The" immediately thereafter.

Page 3, line 9, insert a comma after the word "terminate" and inclose the same in brackets.

Page 1, line 4, strike out the word "is" and supply in its place the word "are".

Page 3, line 10, turn the bracket which first occurs in the line after the small letter "t" so that said bracket will correspond with the bracket in line 8.

Objection being made to the immediate consideration of said message,

Ordered, That the same be referred to the committee on rules.

The Senate returned the Assembly bill (No. 1385, Senate Reprint No. 2000, Int. No. 1175), entitled "An act to amend chapter seven hundred and four of the Laws of nineteen hundred and one, entitled 'An act to make the office of the clerk of the county of Kings a salaried office and regulating the management of said office,' generally," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, amend the title by eliminating the word "three" and inserting in place thereof the word "five".

On page 3, line 2, place brackets around the word "two" and insert between said bracket and the word "docket" the word "three" in italics.

Mr. M. A. O'Neil moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 115

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|------------|
| Adler | Cuvillier | Gregg | McDaniels | Sheide |
| Allen | Dawson | Gurnett | McElligott | Shepardson |
| Beach | Day | Hackett | McKeon | Smith A E |
| Blauvelt | DeLano | Haines | Merritt | Spielberg |
| Boylan | Donnelly | Hammond | Moneczynski | Stivers |
| Brace | Drummond | Hart | Mork | Sullivan |
| Brennan | Ebbetts | Hearn | Murray | Talmage |
| Brereton | Egan | Herrick J J | Myers | Terry |
| Bridenbecker | Evans | Herrick W R | Neupert | Thorn |
| Brooks | Farrell | Higgins | Nolan | Turley |
| Bryant | Fay | Hoey | O'Connor | Walker |
| Bush | Filley | Hollmann | Oliver | Ward |
| Butler | Fitzpatrick | Jackson | O'Neill J J | Warren |
| Carew | Foley | Jameson | O'Neil M A | Washburn |
| Caughlan | Friedman | Kennedy | Parker A | Waters R B |

| | | | | |
|-------------|-----------|-----------|----------------|---------|
| Chanler | Fry | Keys | Parker J S | Weil |
| Cheney | Geatons | Lansing | Patrie | Wende |
| Coffey | Gerhardt | LaReau | Phillips C W | Wheeler |
| Collin | Goldberg | Lent | Phillips J S | Wilson |
| Colné | Goldstein | MacGregor | Saunders | Winters |
| Constantine | Goodman | Manley | Schifferdecker | Yale |
| Cosad | Gould | Martin | Seeley | Young |
| Cross | Graubard | McCue | Shannon | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 722, Senate Reprint No. 1806, Int. No. 264), entitled "An act to amend the Tax Law, in relation to receipts by collectors and receivers of taxes," with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 5, strike out words "or receiver".

On page 2, lines 19-20, strike out the words "or receiver".

Mr. J. J. O'Neill moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 115

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Cuvillier | Gregg | McDaniels | Sheide |
| Allen | Dawson | Gurnett | McElligott | Shepardson |
| Beach | Day | Hackett | McKeon | Smith A E |
| Blauvelt | DeLano | Haines | Merritt | Spielberg |
| Boylan | Donnelly | Hammond | Monczynski | Stivers |
| Brace | Drummond | Hart | Mork | Sullivan |
| Brennan | Ebbetts | Hearn | Murray | Talmage |
| Brereton | Egan | Herrick J J | Myers | Terry |
| Bridenbecker | Evans | Herrick W R | Neupert | Thorn |
| Brooks | Farrell | Higgins | Nolan | Turley |
| Bryant | Fay | Hoey | O'Connor | Walker |
| Bush | Filley | Hollmann | Oliver | Ward |
| Butler | Fitzpatrick | Jackson | O'Neill J J | Warren |
| Carew | Foley | Jameson | O'Neil M A | Washburn |
| Caughlan | Friedman | Kennedy | Parker A | Waters R B |
| Chanler | Fry | Keys | Parker J S | Weil |
| Cheney | Geatons | Lansing | Patrie | Wende |
| Coffey | Gerhardt | LaReau | Phillips C W | Wheeler |
| Collin | Goldberg | Lent | Phillips J S | Wilson |

| | | | | |
|-------------|-----------|-----------|----------------|---------|
| Colné | Goldstein | MacGregor | Saunders | Winters |
| Constantine | Goodman | Manley | Schifferdecker | Yale |
| Cosad | Gould | Martin | Seeley | Young |
| Cross | Graubard | McCue | Shannon | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, June 27, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2221, Int. No. 1792), entitled "An act to amend chapter one hundred and sixteen of the Laws of eighteen hundred and ninety-seven, entitled 'An act to make the office of county clerk of Washington county a salaried office, and regulating the management of said office,' and the acts amendatory thereof."

JOHN A. DIX.

Said bill having been announced,

Mr. J. S. Parker moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 114

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|-------------|------------|------------|
| Adler | Cuvillier | Gregg | McDaniels | Sheide |
| Allen | Dawson | Gurnett | McEligott | Shepardson |
| Beach | Day | Hackett | McKeon | Smith A E |
| Blauvelt | DeLano | Haines | Merritt | Spielberg |
| Boylan | Donnelly | Hammond | Monczynski | Stivers |
| Brace | Drummond | Hart | Mork | Sullivan |
| Brennan | Ebbetts | Hearn | Murray | Talmage |
| Brereton | Egan | Herrick J J | Myers | Terry |
| Bridenbecker | Evans | Herrick W R | Neupert | Thorn |
| Brooks | Farrell | Higgins | Nolan | Turley |
| Bryant | Fay | Hoey | O'Connor | Walker |
| Bush | Filley | Hollmann | Oliver | Ward |

| | | | | |
|-------------|-------------|-----------|----------------|------------|
| Butler | Fitzpatrick | Jackson | O'Neill J J | Warren |
| Carew | Foley | Jameson | O'Neil M A | Washburn |
| Caughlan | Friedman | Kennedy | Parker A | Waters R B |
| Chanler | Fry | Keys | Parker J S | Weil |
| Cheney | Geatons | Lansing | Patrie | Wende |
| Coffey | Gerhardt | LaReau | Phillips C W | Wheeler |
| Collin | Goldberg | Lent | Phillips J S | Wilson |
| Colné | Goldstein | MacGregor | Saunders | Winters |
| Connell | Goodman | Manley | Schifferdecker | Yale |
| Constantine | Gould | Martin | Seeley | Young |
| Cosad | Graubard | McCue | Shannon | Zorn |
| Cross | | | | |

Mr. J. S. Parker moved that said bill be recommitted to the committee on internal affairs, with instructions to report the same forthwith, amended as follows:

Page 3, strike out lines 13 to 26, inclusive.

Page 4, strike out lines 1 to 4 inclusive.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Evans, from the committee on internal affairs, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, June 7, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1043, Int. No. 939), entitled "An act to amend the Military Law, in relation to pay and allowances."

JOHN A. DIX.

Said bill having been announced,

Mr. Cuvillier moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 114

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cross | Graubard | McElligott | Shepardson |
| Allen | Cuvillier | Gregg | McKeon | Smith A E |
| Beach | Dawson | Gurnett | Merritt | Spielberg |
| Blauvelt | Day | Hackett | Monczynski | Stivers |
| Boylan | DeLano | Haines | Mork | Sullivan |
| Brace | Donnelly | Hart | Murray | Talmage |
| Brennan | Drummond | Hammond | Myers | Terry |
| Brereton | Ebbetts | Herrick J J | Neupert | Thorn |
| Bridenbecker | Egan | Herrick W R | Nolan | Turley |
| Brooks | Evans | Higgins | O'Connor | Walker |
| Bryant | Farrell | Hoey | Oliver | Ward |
| Bush | Fay | Hollmann | O'Neill J J | Warren |
| Butler | Filley | Jackson | O'Neil M A | Washburn |
| Carew | Fitzpatrick | Jameson | Parker A | Waters R B |
| Caughlan | Foley | Kennedy | Parker J S | Weil |
| Chanler | Friedman | Keys | Patrie | Wende |
| Cheney | Fry | LaReau | Phillips C W | Wheeler |
| Coffey | Geatons | Lent | Phillips J S | Wilson |
| Collin | Gerhardt | MacGregor | Saunders | Winters |
| Colné | Goldberg | Manley | Schifferdecker | Yale |
| Connell | Goldstein | Martin | Seeley | Young |
| Constantine | Goodman | McCue | Shannon | Zorn |
| Cosad | Gould | McDaniels | Sheide | |

Mr. Cuvillier moved that said bill be recommitted to the committee on military affairs, with instructions to report the same forthwith, amended as follows:

Page 1, line 4, after the quotation marks insert the following: "as amended by chapter one hundred and one of the Laws of nineteen hundred and eleven".

Page 2, line 25, after "State" insert the following sentence: "Squadrons not part of a regiment if organized into a regiment shall thereby not be deprived of the allowances granted in this section."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Cuvillier, from the committee on military affairs, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication was received from Hon. M. D. Hanson, mayor of the city of Cohoes, returning Assembly bill (No. 1540, Int. No. 1309), entitled "An act to amend chapter four hundred and three of the Laws of nineteen hundred and three, entitled 'An act to create and establish a city court in and for the city of

Cohoes, to provide for the appointment of the officers thereof, and to regulate the practice in said court,' in relation to the election and term of office of the city judge," with a message that said mayor and the common council of said city, after a public hearing thereon, do not approve said bill and do not accept the same.

Mr. Speaker stated the question to be, "Shall this bill pass notwithstanding the objections of the mayor and the common council, the legislative body, of the city of Cohoes thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 78

NOES 58

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|-------------|-------------|----------------|
| Beach | Farrell | Hackett | McCue | Schifferdecker |
| Blauvelt | Fay | Hearn | McDaniels | Seeley |
| Boylan | Fitzpatrick | Herrick J J | McElligott | Sheide |
| Brennan | Foley | Herrick W R | McGrath | Shortt |
| Bush | Friedman | Heyman | McKeon | Smith A E |
| Carew | Fry | Hoev | Miller | Spielberg |
| Caughlan | Geatons | Hollmann | Moneczynski | Terry |
| Collin | Gerhardt | Hoyt | Mork | Turley |
| Cosad | Gerken | Huber | Myers | Walker |
| Cuvillier | Gillen | Jackson | Oliver | Warren |
| Dawson | Goldberg | Jameson | O'Neill J J | Washburn |
| Day | Goldstein | Kennedy | O'Neil M A | Weil |
| Donnelly | Gould | LaReau | Parker A | Wheeler |
| Drummond | Graubard | Levy A J | Patrie | Zorn |
| Egan | Gregg | Manley | Saunders | Speaker |
| Evans | Gurnett | Martin | | |

Those who voted in the negative were:

| | | | | |
|--------------|-------------|-----------|--------------|------------|
| Adler | Coffey | Higgins | Parker J S | Talmage |
| Ahern | Colné | Hoff | Phillips C W | Thorn |
| Allen | Connell | Jones | Phillips J S | Ward |
| Baumes | Constantine | Keys | Pierce | Waring |
| Brace | Cross | Kopp | Shannon | Waters R B |
| Brereton | DeLano | Lansing | Shepardson | Wende |
| Bridenbecker | Ebbetts | Lent | Shlivek | Wilson |
| Brooks | Filley | MacGregor | Smith T K | Winters |
| Brown | Goodman | Merritt | Stivers | Yale |
| Bryant | Haines | Murray | Sullivan | Yeomans |
| Butler | Hammond | Nolan | Sweet | Young |
| Cheney | Hart | Pappert | | |

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A communication was received from Hon. M. D. Hanson, mayor of the city of Cohoes, returning Assembly bill (No. 1539, Int. No. 1308), entitled "An act to amend chapter six hundred and seventy-one of the Laws of nineteen hundred and two, entitled 'An act to revise, consolidate and amend the several acts relating to the government of the city of Cohoes,' in relation to the election and term of office of the recorder, and the appointment and term of office of the city attorney and commissioner of public works," with a message that said mayor and the common council of said city, after a public hearing thereon, do not approve said bill and do not accept the same.

The Speaker stated the question to be, "Shall this bill pass notwithstanding the objections of the mayor and the common council, the legislative body, of the city of Cohoes thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 76

NOES 55

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Blauvelt | Fay | Hackett | McCue | Schifferdecker |
| Boylan | Fitzpatrick | Hearn | McDaniels | Seeley |
| Brennan | Foley | Herrick J J | McElligott | Sheide |
| Bridenbecker | Friedman | Herrick W R | McGrath | Shortt |
| Bush | Fry | Heyman | McKeon | Smith A E |
| Carew | Geatons | Hoey | Miller | Spielberg |
| Caughlan | Gerhardt | Hollmann | Moneczynski | Terry |
| Collin | Gerken | Hoyt | Mork | Turley |
| Cuvillier | Gillen | Huber | Myers | Walker |
| Dawson | Goldberg | Jackson | Neupert | Warren |
| Day | Goldstein | Jameson | Oliver | Washburn |
| Donnelly | Gould | Kennedy | O'Neill J J | Weil |
| Drummond | Graubard | Levy A J | O'Neil M A | Wheeler |
| Egan | Gregg | Manley | Patrie | Zorn |
| Evans | Gurnett | Martin | Saunders | Speaker |
| Farrell | | | | |

Those who voted in the negative were:

| | | | | |
|----------|-------------|-----------|--------------|------------|
| Adler | Coffey | Hoff | Parker J S | Talmage |
| Ahern | Colné | Jones | Phillips C W | Thorn |
| Allen | Connell | Kopp | Phillips J S | Ward |
| Baumes | Constantine | Lansing | Pierce | Waring |
| Beach | Cross | LaReau | Shannon | Waters R B |
| Brace | DeLano | Lent | Shepardson | Wende |
| Brereton | Goodman | MacGregor | Shlivek | Wilson |

| | | | | |
|--------|---------|----------|-----------|---------|
| Brooks | Haines | Merritt | Smith T K | Winters |
| Brown | Hammond | Murray | Stivers | Yale |
| Bryant | Hart | Nolan | Sullivan | Yeomans |
| Cheney | Higgins | Parker A | Sweet | Young |

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. McGrath offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the mayor of the city of New York, requesting that he return to the Assembly a certified copy of Assembly bill (No. 814, Senate Reprint No. 1858, Int. No. 744), entitled "An act to amend the Greater New York charter, so as to provide for a relief and pension fund for the benefit of the members of the clerical and uniformed forces of the department of street cleaning," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

To the Assembly:

ALBANY, April 29, 1911.

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 725, Int. No. 449), entitled "An act to legalize certain acts and proceedings of union free school district number six of the town of West Seneca, in the county of Erie, its voters, board of trustees, officers and agents, in relation to a certain tax voted and raised therein in the year nineteen hundred and ten, and authorizing the distribution of the moneys so raised."

JOHN A. DIX.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

To the Assembly:

ALBANY, June 19, 1911.

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2450, Int. No. 147), entitled "An act to amend the Public Officers Law,

in relation to vacations for persons in the service of the State and of the several civil divisions thereof."

JOHN A. DIX.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *June 21, 1911.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 751, Int. No. 689), entitled "An act to legalize certain bonds of the county of Erie."

JOHN A. DIX.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *June 27, 1911.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1530, Int. No. 1229), entitled "An act to make the office of county clerk of Putnam county a salaried office, and regulating the management of said office."

JOHN A. DIX.

The Senate returned the bill (No. 2241, Int. No. 1808), entitled "An act to amend an act, entitled 'An act to extend the time within which the International Railway Company and the Cross-town Street Railway Company of Buffalo shall complete their railroads in the city of Buffalo, and begin the operation of same beyond their present construction and operation.'" with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

Also, the bill (No. 2024, Int. No. 1652), entitled "An act to amend chapter three hundred and fifty-seven of the Laws of nine-

teen hundred and five, entitled 'An act to revise the several acts relative to the city of Tonawanda,' generally," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Tonawanda.

Also, the bill (No. 2312, Int. No. 1874), entitled "An act to amend chapter thirty-five of the Laws of nineteen hundred and two, entitled 'An act creating a city court in and for the city of Poughkeepsie, New York,' in relation to the salaries of city judge and clerk of the city court," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Poughkeepsie.

Also, the bill (No. 602, Int. No. 581), entitled "An act providing that the police commissioner of the city of New York, in his discretion, may reappoint Thomas G. Mellon, an ex-policeman of the city of New York, who resigned from said police department August twenty-first, eighteen hundred and ninety-five," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

Also, the bill (No. 1648, Int. No. 210), entitled "An act to amend the Penal Law, relative to sentences for murder in the first degree which have been commuted to life imprisonment."

Also, the bill (No. 894, Int. No. 804), entitled "An act to amend the Penal Law, in relation to enticing inmates from certain State institutions."

Also, the bill (No. 2256, Int. No. 1823), entitled "An act to authorize the Bowery Mission and Young Men's Home to acquire property by devise and bequest."

Also, the bill (No. 2432, Int. No. 1935), entitled "An act to amend the Highway Law, in relation to adding to the State highway system a new State route, in the county of Greene."

Also, the bill (No. 2115, Int. No. 1704), entitled "An act to amend the General Business Law, in relation to the licensing of persons claiming to be authorized to sell transportation tickets or orders."

Also, the bill (No. 952, Int. No. 861), entitled "An act to amend the General Corporation Law, in relation to the amount of property nonstock corporations may take or hold."

Also, the bill (No. 1133, Int. No. 1007), entitled "An act to amend the Tax Law, relative to the making of special franchise valuations by the State Board of Tax Commissioners."

Also, the bill (No. 1950, Int. No. 1603), entitled "An act to authorize the Comptroller of the State to hear and determine the claim of Martin Feldhusen for the cancellation of the eighteen hundred and ninety tax sales of lot one hundred and twenty-six, map or page two, Middletown tax maps, Richmond county."

Also, the bill (No. 1761, Int. No. 1477), entitled "An act to ratify, confirm and legalize the proceedings of school district number nine of the town of Islip in the county of Suffolk, in the matter of the issuance and sale of its bonds in the amount of seven thousand dollars for building an addition to and altering and repairing the schoolhouse in said district, and to provide for the payment of the principal and interest of such bonds," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

A communication was received from Hon. Joseph H. Conners, mayor of the city of Fulton, returning Assembly bill (No. 2307, Int. No. 1869), entitled "An act to amend the charter of the city of Fulton, in relation to compensation of city officers and employees," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received April 1st from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 84, Senate Reprint No. 593, Int. No. 84), entitled "An act to amend the Greater New York charter, relative to the compensation of commissioners of estimate and appraisal," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

On motion of Mr. A. E. Smith, the House adjourned.

WEDNESDAY, JUNE 28, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Wm. H. Adams, Voorheesville.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Patrie gives notice that he requests that the Senate bill introduced by Mr. Roosevelt (No. 1351, Rec. No. 255), entitled "An act to amend the Forest, Fish and Game Law, in relation to taking quail in Dutchess, Westchester, Putnam, Rockland and Ulster counties," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Patrie gives notice that he requests that the Senate bill introduced by Mr. Roosevelt (No. 1932, Rec. No. 415), entitled "An act amending the Forest, Fish and Game Law, in relation to hunting hares and rabbits," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Wilson gives notice that he requests that the Senate bill introduced by Mr. Griffith (No. 1937, Rec. No. 406), entitled "An act to grant to the city of Geneva all the interest of the people of the State of New York in certain lands under the waters or partly under the waters of Seneca lake," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Martin gives notice that he requests that the Senate bill introduced by Mr. Fiero (No. 1685, Rec. No. 357), entitled "An act to amend chapter five hundred and eighteen of the Laws of eighteen hundred and sixty-seven, entitled 'An act to amend an act, entitled "An act to incorporate the village of White Plains," passed April third, eighteen hundred and sixty-six, in relation to the powers and duties of the village trustees, et cetera, and the acts amendatory thereof," a copy of which is hereto annexed, be

made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Wagner (No. 1882, Rec. No. 474), entitled "An act to amend the Interior Criminal Courts Act of the city of New York, in relation to inspection of penal and reformatory institutions required of judiciary," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Brereton gives notice that he requests that the Senate bill introduced by Mr. Emerson (No. 1792, Rec. No. 427), entitled "An act to amend the Forest, Fish and Game Law, in relation to taking fish in Lake George," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Griffin (No. 1700, Rec. No. 470), entitled "An act to amend the Code of Civil Procedure, in relation to actions by or against foreign executor or administrator," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Donnelly Davis notice that he requests that the Senate bill introduced by Mr. Cronin (No. 1404, Rec. No. 265), entitled "An act to amend the Judiciary Law, in relation to the chief clerk and assistants for the County Court of Kings county," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Donnelly gives notice that he requests that the Senate bill introduced by Mr. O'Brien (No. 1902, Rec. No. 437), entitled "An act to amend the Railroad Law, in relation to the fare chargeable on certain railroads operating between Flatbush avenue and Railroad avenue, in Kings county," a copy of which is hereto annexed, be made a special order, and asks that his request be re-

ferred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Brace gives notice that he requests that the Senate bill introduced by Mr. White (No. 1982, Rec. No. 475), entitled "An act to amend the Amsterdam city charter, in relation to election of aldermen," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hart gives notice that he requests that the Senate bill introduced by Mr. Heacock (No. 1752, Rec. No. 421), entitled "An act to provide for the appointment of an assistant district attorney in the county of Hamilton," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Manley gives notice that he requests that the Senate bill introduced by Mr. Ferris (No. 1762, Rec. No. 310), entitled "An act to amend the Public Health Law, relative to working hours in pharmacies or drug stores," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Young gives notice that he requests that the Senate bill introduced by Mr. Wainwright (No. 1812, Rec. No. 440), entitled "An act to authorize the electors of the village of Peek-kill to vote upon a proposition authorizing the improving, regulating, macadamizing or paving streets, avenues or highways, and the construction of the necessary drains, curbing and gutters therefor and in connection therewith, in the village of Peekskill, Westchester county, State of New York, and to provide the manner and means of paying therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hart gives notice that he requests that the Senate bill introduced by Mr. Heacock (No. 1753, Rec. No. 458), entitled "An act to amend the Code of Criminal Procedure, in relation to the

qualification of the grand jury stenographer of Hamilton county," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Neupert gives notice that he requests that Assembly bill (No. 361, Int. No. 354), entitled "An act conferring upon a former officer of the superior court of Buffalo the benefits of the police pension fund in the city of Buffalo," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Hart gives notice that he requests that Assembly bill (No. 2497, Int. No. 1882), entitled "An act to amend the charter of the city of Gloversville, generally," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Fay gives notice that he requests that Assembly bill (No. 1146, Senate Reprint No. 1898, Int. No. 1020), entitled "An act to amend chapter five hundred and sixty-four of the Laws of nineteen hundred and two, entitled 'An act in relation to jurors, and to the appointment and duties of a commissioner of jurors in the county of Kings,' " a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order.

Mr. Donnelly gives notice that he requests that Assembly bill (No. 2304, Senate Reprint No. 1986, Int. No. 862), entitled "An act to amend chapter one hundred and seventy-one of the Laws of nineteen hundred and four, entitled 'An act to provide for the continuance of the office of commissioner of records of the county of Kings, and for the completion and care of the block indexes and reindexing plant, and for the care and preservation of the county records, old town and other records,' in relation to the term of office of the commissioner and appointment of his successor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order.

Mr. Young gives notice that he requests that the Senate bill introduced by Mr. Wainwright (No. 1813, Rec. No. 1466), entitled "An act to authorize the electors of the village of Peekskill to vote upon a proposition for the construction of a building to be used as a jail, police court and police headquarters, and to acquire necessary lands and to issue bonds for such purpose," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills:

"An act to amend the General Business Law, in relation to the liability of hotel-keepers" (No. 708, Rec. No. 476), which was read the first time.

On motion of Mr. Oliver, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Oliver, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|------------|
| Adler | DeLano | Hammond | McGrath | Shlivek |
| Allen | Donnelly | Hart | McKeon | Shortt |
| Baumes | Donovan | Hearn | Merritt | Smith A E |
| Beach | Drummond | Herrick J J | Miller | Smith T K. |
| Blauvelt | Ebbetts | Herrick W R | Monczynski | Stivers |
| Boylan | Egan | Heyman | Mork | Sullivan |
| Brace | Evans | Higgins | Murray | Sweet |
| Brennan | Farrell | Hinman | Myers | Talmage |
| Brereton | Fay | Hoey | Neupert | Terry |
| Bridenbecker | Filley | Hoff | Nolan | Thorn |
| Brooks | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brown | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Walker |
| Bush | Fry | Jackson | O'Neil M A | Ward |
| Butler | Geatons | Kennedy | Pappert | Waring |
| Carew | Gerhardt | Keys | Parker A | Warren |
| Caughlan | Gerken | Kopp | Parker J S | Washburn |

| | | | | |
|-------------|-----------|------------|----------------|------------|
| Chanler | Gillen | Lansing | Patrie | Waters R B |
| Cheney | Goldberg | LaReau | Phillips C W | Weil |
| Coffey | Goldstein | Lent | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Pierce | Wheeler |
| Colné | Gould | MacGregor | Saunders | Wilson |
| Connell | Graubard | Manley | Schifferdecker | Winters |
| Constantine | Gray | Martin | Seeley | Yale |
| Cosad | Grëgg | McCue | Shannon | Yeomans |
| Cross | Hackett | McDaniels | Sheide | Young |
| Cuvillier | Haines | McElligott | Shepardson | Zorn |
| Day | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' generally" (No. 2020, Rec. No. 477), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Education Law, relative to compulsory education of blind children" (No. 1909, Rec. No. 478), which was read the first time and referred to the committee on public education.

"An act to provide for dredging Powell creek, in the county of Nassau, for widening and deepening the channel thereof, and making an appropriation therefor" (No. 1754, Rec. No. 479), which was read the first time and referred to the committee on ways and means.

"An act to amend the Labor Law, in relation to bakeries" (No. 1998, Rec. No. 480), which was read the first time.

On motion of Mr. Geatons, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Geatons, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shlivek |
| Allen | Donnelly | Hearn | McKeon | Shortt |
| Baumes | Donovan | Herrick J J | Merritt | Smith A E |
| Beach | Drummond | Herrick W R | Miller | Smith T K |
| Blauvelt | Ebbetts | Heyman | Monczynski | Stivers |
| Boylan | Egan | Higgins | Mork | Sullivan |
| Brace | Evans | Hinman | Murray | Sweet |
| Brennan | Farrell | Hoev | Myers | Talmage |
| Brereton | Fay | Hoff | Neupert | Terry |
| Bridenbecker | Filley | Hollmann | Nolan | Thorn |
| Brooks | Foley | Hoyt | O'Connor | Trombly |
| Brown | Friedman | Huber | Oliver | Turley |
| Bryant | Fry | Jackson | O'Neill J J | Walker |
| Bush | Geatons | Jones | O'Neil M A | Ward |
| Butler | Gerhardt | Kennedy | Pappert | Waring |
| Carew | Gerken | Keys | Parker A | Warren |
| Caughlan | Gillen | Kopp | Parker J S | Washburn |
| Chanler | Goldberg | Lansing | Patrie | Waters R B |
| Cheney | Goldstein | LaReau | Phillips C W | Weil |
| Coffey | Goodwin | Lent | Phillips J S | Wende |
| Collin | Gould | Levy J | Pierce | Wheeler |
| Colné | Graubard | MacGregor | Saunders | Wilson |
| Connell | Gray | Manley | Schifferdecker | Winters |
| Constantine | Gregg | Martin | Seeley | Yale |
| Cosad | Gurnett | McCue | Shannon | Yeomans |
| Cross | Hackett | McDaniels | Sheide | Young |
| Cuvillier | Haines | McElligott | Shepardson | Zorn |
| Day | Hammond | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend chapter forty-seven of the Laws of eighteen hundred and eighty-eight, entitled 'An act to incorporate the Laura Franklin Hospital for Children in the city of New York,' in relation to the membership, powers and duties of the board of trustees of such corporation" (No. 2007, Rec. No. 481), which was read the first time and referred to the committee on the judiciary.

"An act to legalize, ratify and confirm all the proceedings of the city of Newburgh and of its city council, officers and agents, relative to the issuance of the bonds of said city to the amount of thirty-two thousand dollars for the construction of sewers in certain streets and avenues of such city and authorizing the issuance and delivery of such bonds in the full amount of thirty-two thousand dollars and the resale of such bonds in certain conditions"

(No. 1984, Rec. No. 482), which was read the first time and referred to the committee on affairs of cities.

“An act to legalize, ratify and confirm all the proceedings of the city of Newburgh and of its city council, officers and agents and the qualified voters thereof, relative to the issuance and sale of the bonds of said city in the amount of eighteen thousand dollars for the purchase of a suitable lot of land in said city and the erection thereon of a suitable house for Chapman Steamer Company Number One, and authorizing the resale of such bonds in case of certain conditions ” (No. 1985, Rec. No. 483), which was read the first time and referred to the committee on affairs of cities.

“An act to amend the Code of Criminal Procedure, in relation to the removal of an indictment from the court of general sessions in the county of New York ” (No. 1842, Rec. No. 484), which was read the first time and referred to the committee on codes.

“An act to authorize the police commissioner of the city of New York to allow a pension from the New York police department relief fund to William S. Devery ” (No. 2019, Rec. No. 485), which was read the first time and referred to the committee on affairs of cities.

“An act to amend the Insurance Law as to the investments of foreign mutual fire insurance corporations of other States ” (No. 1840, Rec. No. 486), which was read the first time and referred to the committee on insurance.

“An act to amend the Code of Civil Procedure, in relation to restoring the Board of Claims, with the powers and jurisdiction of the Court of Claims, and providing for the appointment of the members of such board ” (No. 2041, Rec. No. 487), which was read the first time and referred to the committee on codes.

“An act relating to the conservation of land, forests, waters, parks, hydraulic power, fish and game, constituting chapter sixty-five of the Consolidated Laws ” (No. 2064, Rec. No. 488), which was read the first time and referred to the committee on ways and means.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Hart (No. 2497, Int.

No. 1882), entitled "An act to amend the charter of the city of Gloversville, generally."

Also, Assembly bill introduced by Mr. Neupert (No. 361, Int. No. 354), entitled "An act conferring upon a former officer of the superior court of Buffalo the benefits of the police pension fund in the city of Buffalo," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Donnelly (No. 2304, Senate Reprint No. 1986, Int. No. 862), entitled "An act to amend chapter one hundred and seventy-one of the Laws of nineteen hundred and four, entitled 'An act to provide for the continuance of the office of commissioner of records of the county of Kings, and for the completion and care of the block indexes and reindexing plant, and for the care and preservation of the county records, old town and other records,' in relation to the term of office of the commissioner and appointment of his successor."

Also; Assembly bill introduced by Mr. Fay (No. 1146, Senate Reprint No. 1898, Int. No. 1020), entitled "An act to amend chapter five hundred and sixty-four of the Laws of nineteen hundred and two, entitled 'An act in relation to jurors, and to the appointment and duties of a commissioner of jurors in the county of Kings,' " reported in favor of concurring in the Senate amendments, and that the same be made special orders immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Roosevelt (No. 1351, Rec. No. 255), entitled "An act to amend the Forest, Fish and Game

Law, in relation to taking quail in Dutchess, Westchester, Putnam, Rockland and Ulster counties."

Also, Senate bill introduced by Mr. Roosevelt (No. 1932, Rec. No. 415), entitled "An act to amend the Forest, Fish and Game Law, in relation to hunting hares and rabbits."

Also, Senate bill introduced by Mr. Fiero (No. 1685, Rec. No. 357), entitled "An act to amend chapter five hundred and eighteen of the Laws of eighteen hundred and sixty-seven, entitled 'An act to amend an act, entitled "An act to incorporate the village of White Plains,"' passed April third, eighteen hundred and sixty-six, in relation to the powers and duties of the village trustees, et cetera, and the acts amendatory thereof."

Also, Senate bill introduced by Mr. Griffith (No. 1937, Rec. No. 406), entitled "An act to grant to the city of Geneva all the interest of the people of the State of New York in certain lands under the waters or partly under the waters of Seneca lake."

Also, Senate bill introduced by Mr. Emerson (No. 1792, Rec. No. 427), entitled "An act to amend the Forest, Fish and Game Law, in relation to taking fish in Lake George."

Also, Senate bill introduced by Mr. Wagner (No. 1882, Rec. No. 474), entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to inspection of penal and reformatory institutions required of judiciary."

Also, Senate bill introduced by Mr. Cronin (No. 1404, Rec. No. 265), entitled "An act to amend the Judiciary Law, in relation to the chief clerk and assistants for the county court of Kings county."

Also, Senate bill introduced by Mr. Griffin (No. 1700, Rec. No. 470), entitled "An act to amend the Code of Civil Procedure, in relation to actions by or against foreign executor or administrator."

Also, Senate bill introduced by Mr. White (No. 1982, Rec. No. 475), entitled "An act to amend the Amsterdam city charter, in relation to election of aldermen."

Also, Senate bill introduced by Mr. O'Brien (No. 1902, Rec. No. 437), entitled "An act to amend the Railroad Law, in relation to the fare chargeable on certain railroads operating between Flatbush avenue and Railroad avenue in Kings county."

Also, Senate bill introduced by Mr. Ferris (No. 1762, Rec. No. 310), entitled "An act to amend the Public Health Law, relative to working hours in pharmacies or drug stores."

Also, Senate bill introduced by Mr. Heacock (No. 1752, Rec. No. 421), entitled "An act to provide for the appointment of an assistant district attorney in the county of Hamilton."

Also, Senate bill introduced by Mr. Heacock (No. 1753, Rec. No. 458), entitled "An act to amend the Code of Criminal Procedure, in relation to the qualification of the grand jury stenographer of Hamilton county."

Also, Senate bill introduced by Mr. Wainwright (No. 1812, Rec. No. 440), entitled "An act to authorize the electors of the village of Peekskill to vote upon a proposition authorizing the improving, regulating, macadamizing or paving streets, avenues or highways, and the construction of the necessary drains, curbing and gutters therefor and in connection therewith, in the village of Peekskill, Westchester county, State of New York, and to provide the manner and means of paying therefor," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Wainwright (No. 1813, Rec. No. 441), entitled "An act to authorize the electors of the village of Peekskill to vote upon a proposition for the construction of a building to be used as a jail, police court and police headquarters, and to acquire necessary lands, and to issue bonds for such purpose," reported in favor of the passage of the same, with the following amendments:

Page 1, line 8, insert after "village" the words "as provided by chapter three hundred and fifty-six of the Laws of eighteen hundred and eighty-seven."

Page 2, line 2, insert after "Law of" the words "the State of New York".

and that the same be reprinted, as amended, and when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported, which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hart | McGrath | Shortt |
| Ahern | DeLano | Hearn | McKeon | Smith A E |
| Allen | Donnelly | Herrick J J | Merritt | Smith T K |
| Baumes | Donovan | Herrick W R | Miller | Stivers |
| Beach | Drummond | Heyman | Monezynski | Sullivan |
| Blauvelt | Ebbetts | Higgins | Mork | Sweet |
| Boylan | Egan | Hinman | Murray | Talmage |
| Brace | Evans | Hoey | Neupert | Terry |
| Brennan | Farrell | Hoff | Nolan | Thorn |
| Brereton | Fay | Hollmann | O'Connor | Trombly |
| Bridenbecker | Filley | Hoyt | Oliver | Turley |
| Brooks | Fitzpatrick | Huber | O'Neill J J | Ward |
| Brown | Foley | Jackson | O'Neil M A | Waring |
| Bryant | Friedman | Jameson | Pappert | Warren |
| Bush | Fry | Jones | Parker A | Washburn |
| Butler | Geatons | Kennedy | Parker J S | Waters F A |
| Carew | Gerhardt | Keys | Patrie | Waters R B |
| Caughlan | Gerken | Kopp | Phillips C W | Weil |
| Chanler | Gillen | Lansing | Phillips J S | Wende |
| Cheney | Goldberg | LaReau | Pierce | Wheeler |
| Coffey | Goldstein | Lent | Saunders | Wilson |
| Collin | Goodman | Levy J | Schifferdecker | Winters |
| Colné | Goodwin | MacGregor | Seeley | Yale |
| Connell | Gould | Manley | Shannon | Yeomans |
| Constantine | Graubard | Martin | Sheide | Young |
| Cosad | Gregg | McCue | Shepardson | Zorn |
| Cross | Hackett | McDaniels | Shlivek | Speaker |
| Cuvillier | Hammond | McElligott | | |

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 2518, Int. No. 1928), entitled "An act creating a railway terminal station commission of the city of Buffalo, defining its powers and authorizing said city to issue its bonds."

Debate was had thereon.

On motion of Mr. Jackson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 80

NOES 48

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Blauvelt | Egan | Gregg | Manley | Patrie |
| Boylan | Evans | Hackett | Martin | Saunders |
| Brennan | Farrell | Hearn | McCue | Schifferdecker |
| Bridenbecker | Fay | Herrick J J | McDaniels | Seeley |
| Brooks | Fitzpatrick | Herrick W R | McElligott | Sheide |
| Bush | Foley | Heyman | McGrath | Shortt |
| Carew | Friedman | Hoey | McKeon | Smith A E |
| Caughlan | Fry | Hollmann | Miller | Spielberg |
| Chanler | Geatons | Hoyt | Monezynski | Sullivan |
| Cheney | Gerhardt | Huber | Myers | Trombly |
| Collin | Gerken | Jackson | Neupert | Turley |
| Cosad | Gillen | Jameson | O'Connor | Walker |
| Day | Goldberg | Kennedy | Oliver | Washburn |
| Donnelly | Goldstein | Keys | O'Neill J J | Weil |
| Donovan | Gould | LaReau | O'Neil M A | Wheeler |
| Drummond | Graubard | Levy J | Pappert | Zorn |

Those who voted in the negative were:

| | | | | |
|----------|-------------|-----------|------------|------------|
| Adler | Connell | Hoff | Pierce | Ward |
| Ahern | Constantine | Jones | Shannon | Waring |
| Baumes | Ebbetts | Kopp | Shepardson | Warren |
| Brace | Filley | Lansing | Shlivek | Waters F A |
| Brereton | Goodman | MacGregor | Smith T K | Wende |
| Brown | Goodwin | Merritt | Stivers | Wilson |
| Bryant | Haines | Mork | Talmage | Winters |
| Butler | Hammond | Murray | Terry | Yale |
| Coffey | Hart | Nolan | Thorn | Young |
| Colné | Higgins | Parker A | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate Bill (No. 834, Rec. No. 251), entitled "An act authorizing the city of Buffalo to enter into contract with the Lehigh Valley Railway Company for the purpose of improving the terminals of said railroad company in said city, to make changes in existing grade crossing structures, to alter, discontinue, contract, close, abandon and change the grade and course of streets, alleys and public grounds, and to take, hold, convey and exchange real and personal property in accordance with such contract or contracts."

On motion of Mr. Jackson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Hart | McGrath | Shlivek |
| Allen | Donovan | Hearn | McKeon | Shortt |
| Baumes | Drummond | Herrick J J | Merritt | Smith A E |
| Beach | Ebbetts | Herrick W R | Miller | Smith T K |
| Blauvelt | Egan | Heyman | Monczynski | Stivers |
| Boylan | Evans | Higgins | Mork | Sullivan |
| Brace | Farrell | Hinman | Murray | Sweet |
| Brennan | Fay | Hoey | Myers | Talmage |
| Brereton | Filley | Hoff | Neupert | Terry |
| Bridenbecker | Fitzpatrick | Hollmann | Nolan | Thorn |
| Brooks | Foley | Hoyt | O'Connor | Trombly |
| Brown | Friedman | Huber | Oliver | Turley |
| Bryant | Fry | Jackson | O'Neill J J | Walker |
| Bush | Geatons | Jones | O'Neil M A | Ward |
| Butler | Gerhardt | Kennedy | Pappert | Waring |
| Carew | Gerken | Keys | Parker A | Warren |
| Caughlan | Gillen | Kopp | Parker J S | Washburn |
| Chanler | Goldberg | Lansing | Patrie | Waters R B |
| Cheney | Goldstein | LaReau | Phillips C W | Weil |
| Coffey | Goodwin | Lent | Phillips J S | Wende |
| Collin | Gould | Levy J | Pierce | Wheeler |
| Colné | Graubard | MacGregor | Saunders | Wilson |
| Connell | Hammond | Manley | Schifferdecker | Winters |
| DeLano | | | | |

| | | | | |
|-------------|---------|------------|------------|---------|
| Constantine | Gray | Martin | Seeley | Yale |
| Cosad | Gregg | McCue | Shannon | Yeomans |
| Cross | Hackett | McDaniels | Sheide | Young |
| Cuvillier | Haines | McElligott | Shepardson | Zorn |
| Day | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1613, Rec. No. 371), entitled "An act to amend the Second Class Cities Law, relative to designation of official papers."

On motion of Mr. Foley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 8

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Hackett | McDaniels | Shlivek |
| Ahe n | Day | Haines | McElligott | Shortt |
| Allen | DeLano | Hart | McGrath | Smith A E |
| Baumes | Donnelly | Hearn | McKeon | Smith T K |
| Beach | Donovan | Herrick J J | Miller | Stivers |
| Blauvelt | Drummond | Herrick W R | Monczynski | Sullivan |
| Boylan | Ebbetts | Heyman | Mork | Sweet |
| Brace | Egan | Higgins | Murray | Talmage |
| Brennan | Evans | Hinman | Myers | Terry |
| Brereton | Farrell | Hoe | Nolan | Thorn |
| Bridenbecker | Fay | Hoff | O'Connor | Trombly |
| Brooks | Fitzpatrick | Hollmann | Oliver | Turley |
| Brown | Foley | Hoyt | O'Neill J J | Walker |
| Bryant | Friedman | Huber | O'Neil M A | Waring |
| Bush | Fry | Jackson | Pappert | Warren |
| Butler | Geatons | Jones | Parker A | Washburn |
| Carew | Gerhardt | Kennedy | Parker J S | Waters R B |
| Caughlan | Gerken | Keys | Patrie | Weil |
| Chanler | Gillen | Kopp | Phillips C W | Wende |
| Cheney | Goldberg | LaReau | Pierce | Wheeler |
| Coffey | Goldstein | Lent | Saunders | Wilson |
| Collin | Goodwin | Levy J | Schifferdecker | Winters |

| | | | | |
|-------------|----------|-----------|------------|---------|
| Connell | Gould | MacGregor | Seeley | Yale |
| Constantine | Graubard | Manley | Shannon | Yeomans |
| Cosad | Gray | Martin | Sheide | Zorn |
| Cross | Gregg | McCue | Shepardson | |

Those who voted in the negative were:

| | | | | |
|--------|---------|--------------|------|-------|
| Colné | Hammond | Merritt | Ward | Young |
| Filley | Lansing | Phillips J S | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2515, Int. No. 713), entitled "An act to create a commission to inquire into the extent and nature of the practice of experimentation on living animals, and the condition of the laws of the State relative to the proper protection of scientific experiments without danger of unnecessary cruelty, and making an appropriation therefor."

Said bill having been announced for a second reading,

On motion of Mr. A. E. Smith, said bill was recommitted to the committee on rules.

Mr. Speaker announced the special order, being the bill (No. 2545, Int. No. 1247), entitled "An act to amend the Liquor Tax Law, in relation to the issuance and limitation of certificates."

On motion of Mr. McCue, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 99

NOES 11

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|-------------|------------|-------------|
| Boylan | Drummond | Hackett | Martin | Sheide |
| Brace | Ebbetts | Haines | McCue | Shlivek |
| Brennan | Egan | Hearn | McDaniels | Smith A E |
| Brereton | Evans | Herrick J J | McElligott | Smith T K |
| Bridenbecker | Farrell | Heyman | McGrath | Spiegelberg |

| | | | | |
|-------------|-------------|----------|----------------|------------|
| Butler | Fay | Higgins | McKeon | Stivers |
| Carew | Filley | Hinman | Mork | Sullivan |
| Caughlan | Fitzpatrick | Hoey | Myers | Talmage |
| Chanler | Friedman | Hollmann | Neupert | Terry |
| Collin | Fry | Hoyt | O'Connor | Trombly |
| Colné | Geatons | Huber | Oliver | Turley |
| Constantine | Gerhardt | Jackson | O'Neill J J | Ward |
| Cosad | Gerken | Jameson | O'Neil M A | Waring |
| Cross | Gillen | Jones | Pappert | Warren |
| Cuvillier | Goldberg | Kennedy | Parker J S | Waters R B |
| Dawson | Goldstein | Keys | *Patrie | Weil |
| Day | Goodwin | Kopp | Phillips J S | Wheeler |
| DeLano | Gould | Lansing | Saunders | Wilson |
| Donnelly | Graubard | Levy J | Schifferdecker | Young |
| Donovan | Gregg | Manley | Seeley | |

Those who voted in the negative were:

| | | | | |
|--------|--------|---------|-----------|------------|
| Baumes | Bryant | Connell | Hoff | Pierce |
| Beach | Cheney | Hammond | MacGregor | Shepardson |
| Brown | | | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1298, Int. No. 352), entitled "An act to amend the Forest, Fish and Game Law, in relation to the protection of wild birds."

Said bill having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Thursday next.

Mr. Speaker announced the special order, being the Senate bill (No. 748, Rec. No. 353), entitled "An act to amend chapter six hundred and fifty of the Laws of nineteen hundred and four, entitled 'An act to revise the charter of the city of Rome,' generally."

On motion of Mr. Manley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 81

NOES 60

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Beach | Egan | Hackett | McCue | Schifferdecker |
| Blauvelt | Evans | Hearn | McDaniels | Seeley |
| Boylan | Farrell | Herrick J J | McElligott | Sheide |
| Brace | Fay | Herrick W R | McGrath | Shortt |
| Brennan | Fitzpatrick | Heyman | McKeon | Smith A E |
| Bridenbecker | Foley | Hoey | Miller | Spielberg |
| Bush | Friedman | Hollmann | Monczynski | Terry |
| Carew | Fry | Hoyt | Mork | Trombly |
| Caughlan | Geatons | Huber | Myers | Turley |
| Chanler | Gerhardt | Jackson | Neupert | Walker |
| Collin | Gerken | Jameson | Oliver | Warren |
| Cosad | Gillen | Kennedy | O'Neill J J | Washburn |
| Cuvillier | Goldberg | LaReau | O'Neil M A | Weil |
| Day | Goldstein | Levy J | Parker A | Wende |
| Donnelly | Gould | Manley | Patrie | Wheeler |
| Donovan | Gurnett | Martin | Saunders | Zorn |
| Drummond | | | | |

Those who voted in the negative were:

| | | | | |
|----------|-------------|-----------|--------------|------------|
| Adler | Connell | Higgins | Nolan | Sweet |
| Ahern | Constantine | Hinman | Pappert | Talmage |
| Allen | Cross | Hoff | Parker J S | Thorn |
| Baumes | DeLano | Jones | Phillips C W | Ward |
| Brereton | Ebbetts | Keys | Phillips J S | Waring |
| Brooks | Filley | Kopp | Pierce | Waters F A |
| Brown | Goodman | Lansing | Shannon | Waters R B |
| Bryant | Goodwin | Lent | Shepardson | Wilson |
| Butler | Gregg | Macdonald | Shlivek | Winters |
| Cheney | Haines | MacGregor | Smith T K | Yale |
| Coffey | Hammond | Merritt | Stivers | Yeomans |
| Colné | Hart | Murray | Sullivan | Young |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1856, Assembly Reprint No. 2523, Rec. No. 343), entitled "An act to amend the Penal Law, in relation to false or misleading advertisements or statements as to or in connection with the sale of real estate."

Said bill having been announced,

Mr. Graubard moved to amend as follows:

On page 2, line 12, strike out after the word "any" the word "foreign".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the special order of second and third reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1780, Rec. No. 416), entitled "An act to amend chapter three hundred and thirty-six of the Laws of nineteen hundred and three, entitled 'An act to provide for the erection of a courthouse in the county of New York, and authorizing the acquisition of a site therefor.' "

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.


AYES 117

NOES 19

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Allen | DeLano | Hart | McGrath | Shortt |
| Baumes | Donnelly | Hearn | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick J J | Monczynski | Smith T K |
| Boylan | Ebbetts | Heyman | Myers | Stivers |
| Brace | Egan | Hinman | Neupert | Sullivan |
| Brennan | Evans | Hoey | Nolan | Sweet |
| Brereton | Farrell | Hoff | Oliver | Terry |
| Bridenbecker | Fay | Hollmann | O'Neill J J | Thorn |
| Brooks | Filley | Hoyt | O'Neil M A | Trombly |
| Brown | Fitzpatrick | Huber | Pappert | Turley |
| Bryant | Foley | Jackson | Parker A | Walker |
| Bush | Geatons | Jameson | Parker J S | Ward |
| Butler | Gerhardt | Jones | Patrie | Warin ? |
| Carew | Gerken | Keys | Phillips C W | Washburn |
| Chanler | Gillen | Kopp | Parker J S | Waters R B |
| Cheney | Goldberg | Lansing | Pierce | Weil |
| Coffey | Goldstein | LaReau | Saunders | Wende |
| Collin | Goodwin | MacGregor | Schifferdecker | Wheeler |
| Connell | Gould | Manley | Seeley | Wilson |
| Constantine | Graubard | Martin | Shannon | Winters |
| Cosad | Gregg | McCue | Sheide | Yale |
| Cross | Gurnett | McDaniels | Shepardson | Yeomans |
| Cuvillier | Hackett | McElligott | Shlivek | Zorn |
| Day | Haines | | | |

Those who voted in the negative were:

| | | | | |
|---|----------|-------------|---------|---------|
| Adler | Friedman | Herrick W R | Levy J | Talmage |
| Ahern | Fry | Higgins | Merritt | Warren |
| Beach | Goodman | Kennedy | Mork | Young |
| Colné  | Hammond | Lent | Murray | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1256, Rec. No. 168), entitled "An act to amend the Penal Law, relative to appointment of special officers, and of making arrest without lawful authority."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hammond | McElligott | Shepardson |
| Allen | Donnelly | Hart | McGrath | Shlivek |
| Baumes | Donovan | Hearn | McKeon | Smith A E |
| Beach | Drummond | Herrick J J | Merritt | Smith T K |
| Blauvelt | Ebbetts | Herrick W R | Miller | Stivers |
| Boylan | Egan | Heyman | Monczynski | Sullivan |
| Brace | Evans | Higgins | Mork | Sweet |
| Brennan | Farrell | Hinman | Murray | Talmage |
| Brereton | Fay | Hoey | Myers | Terry |
| Bridenbecker | Filley | Hoff | Neupert | Thorn |
| Brooks | Fitzpatrick | Hollmann | Nolan | Trombly |
| Brown | Foley | Hoyt | O'Connor | Turley |
| Bryant | Friedman | Huber | Oliver | Walker |
| Bush | Fry | Jackson | O'Neill J J | Ward |
| Butler | Geatons | Jones | O'Neil M A | Waring |
| Carew | Gerhardt | Kennedy | Pappert | Warren |
| Caughlan | Gerken | Keys | Parker A | Washburn |
| Chanler | Gillen | Kopp | Parker J S | Waters R B |
| Cheney | Goldberg | Lansing | Patrie | Weil |
| Coffey | Goldstein | LaReau | Phillips C W | Wende |
| Collin | Goodwin | Lent | Phillips J S | Wheeler |
| Colné | Gould | Levy J | Pierce | Wilson |
| Connell | Graubard | MacGregor | Saunders | Winters |
| Constantine | Gray | Manley | Schifferdecker | Yale |
| Cosad | Gregg | Martin | Seeley | Yeomans |
| Cross | Hackett | McCue | Shannon | Young |
| Cuvillier | Haines | McDaniels | Sheide | Zorn |
| Day | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1351, Rec. No. 255), entitled "An act to amend the Forest, Fish and Game Law, in relation to taking quail in Dutchess, Westchester, Putnam, Rockland and Ulster counties."

Said bill having been announced for a second reading,

On motion of Mr. Yale, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Thursday next.

Mr. Speaker announced the special order, being the Senate bill (No. 1932, Rec. No. 1311), entitled "An act to amend the Forest, Fish and Game Law, in relation to hunting hares and rabbits."

On motion of Mr. Patrie, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|------------|
| Adler | DeLano | Hart | McGrath | Shlivek |
| Allen | Donnelly | Hearn | McKeon | Shortt |
| Baumes | Donovan | Herrick J J | Merritt | Smith A E |
| Beach | Drummond | Herrick W R | Miller | Smith T K |
| Blauvelt | Ebbetts | Heyman | Monczynski | Stivers |
| Boylan | Egan | Higgins | Mork | Sullivan |
| Brace | Evans | Hinman | Murray | Sweet |
| Brennan | Farrell | Hoey | Myers | Talmage |
| Brereton | Fay | Hoff | Neupert | Terry |
| Bridenbecker | Filley | Hollmann | Nolan | Thorn |
| Brooks | Fitzpatrick | Hoyt | O'Connor | Trombly |
| Brown | Foley | Huber | Oliver | Turley |
| Bryant | Friedman | Jackson | O'Neill J J | Walker |
| Bush | Fry | Jones | O'Neil M A | Ward |
| Butler | Geatons | Kennedy | Pappert | Waring |
| Carew | Gerhardt | Keys | Parker A | Warren |
| Caughlan | Gerken | Kopp | Parker J S | Washburn |
| Chanler | Gillen | Lansing | Patrie | Waters R B |

| | | | | |
|-------------|-----------|------------|----------------|---------|
| Cheney | Goldberg | LaReau | Phillips C W | Weil |
| Coffey | Goldstein | Lent | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Pierce | Wheeler |
| Colné | Gould | MacGregor | Saunders | Wilson |
| Connell | Graubard | Manley | Schifferdecker | Winters |
| Constantine | Gray | Martin | Seeley | Yale |
| Cosad | Gregg | McCue | Shannon | Yeomans |
| Cross | Hackett | McDaniels | Sheide | Young |
| Cuvillier | Haines | McElligott | Shepardson | Zorn |
| Day | Hammond | | | |

Ordered, That the Clerk return said bill to the Senate; with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1685, Rec. No. 1312), entitled "An act to amend chapter five hundred and eighteen of the Laws of eighteen hundred and sixty-seven, entitled 'An act to amend an act, entitled "An act to incorporate the village of White Plains,"' passed April third, eighteen hundred and sixty-six, in relation to the powers and duties of the village trustees, et cetera, and the acts amendatory thereof."

Said bill having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Wednesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 1937, Rec. No. 1313), entitled "An act to grant to the city of Geneva all the interest of the people of the State of New York in certain lands under the waters or partly under the waters of Seneca lake."

Said bill having been announced for a second reading,

On motion of Mr. Wilson, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Wednesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 1792, Rec. No. 427), entitled "An act to amend the Forest, Fish and Game Law, in relation to taking fish in Lake George."

On motion of Mr. Brereton, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shlivek |
| Allen | Donnelly | Hearn | McKeon | Shortt |
| Baumes | Donovan | Herrick J J | Merritt | Smith A E |
| Beach | Drummond | Herrick W R | Miller | Smith T K |
| Blauvelt | Ebbetts | Heyman | Monczynski | Stivers |
| Boylan | Egan | Higgins | Mork | Sullivan |
| Brace | Evans | Hinman | Murray | Sweet |
| Brennan | Farrell | Hoey | Myers | Talmage |
| Brereto | Fay | Hoff | Neupert | Terry |
| Bridenbecker | Filley | Hollmann | Nolan | Thorn |
| Brooks | Fitzpatrick | Hoyt | O'Connor | Trombly |
| Brown | Foley | Huber | Oliver | Turley |
| Bryant | Friedman | Jackson | O'Neill J J | Walker |
| Bush | Fry | Jones | O'Neil M A | Ward |
| Butler | Geatons | Kennedy | Pappert | Waring |
| Carew | Gerhardt | Keys | Parker A | Warren |
| Caughlan | Gerken | Kopp | Parker J S | Washburn |
| Chanler | Gillen | Lansing | Patrie | Waters R B |
| Cheney | Goldberg | LaReau | Phillips C W | Weil |
| Coffey | Goldstein | Lent | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Pierce | Wheeler |
| Colné | Gould | MacGregor | Saunders | Wilson |
| Connell | Graubard | Manley | Schifferdecker | Winters |
| Constantine | Gray | Martin | Seeley | Yale |
| Cosad | Gregg | McCue | Shannon | Yeomans |
| Cross | Hackett | McDaniels | Sheide | Young |
| Cuvillier | Haines | McElligott | Shepardson | Zorn |
| Day | Hammond | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1882, Rec. No. 474), entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to inspection of penal and reformatory institutions required of judiciary."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shlivek |
| Allen | Donnelly | Hearn | McKeon | Shortt |
| Baumes | Donovan | Herrick J J | Merritt | Smith A E |
| Beach | Drummond | Herrick W R | Miller | Smith T K |
| Blauvelt | Ebbetts | Heyman | Monczynski | Stivers |
| Boylan | Egan | Higgins | Mork | Sullivan |
| Brace | Evans | Hinman | Murray | Sweet |
| Brennan | Farrell | Hoey | Myers | Talmage |
| Brereton | Fay | Hoff | Neupert | Terry |
| Bridenbecker | Filley | Hollmann | Nolan | Thorn |
| Brooks | Fitzpatrick | Hoyt | O'Connor | Trombly |
| Brown | Foley | Huber | Oliver | Turley |
| Bryant | Friedman | Jackson | O'Neill J J | Walker |
| Bush | Fry | Jones | O'Neil M A | Ward |
| Butler | Geatons | Kennedy | Pappert | Waring |
| Carew | Gerhardt | Keys | Parker A | Warren |
| Caughlan | Gerken | Kopp | Parker J S | Washburn |
| Chanler | Gillen | Lansing | Patrie | Waters R B |
| Cheney | Goldberg | LaReau | Phillips C W | Weil |
| Coffey | Goldstein | Lent | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Pierce | Wheeler |
| Colné | Gould | MacGregor | Saunders | Wilson |
| Connell | Graubard | Manley | Schifferdecker | Winters |
| Constantine | Gray | Martin | Seeley | Yale |
| Cosad | Gregg | McCue | Shannon | Yeomans |
| Cross | Hackett | McDaniels | Sheide | Young |
| Cuvillier | Haines | McElligott | Shepardson | Zorn |
| Day | Hammond | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1414, Rec. No. 265), entitled "An act to amend the Judiciary Law, in relation to the chief clerk and assistants for the County court of Kings county."

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 77

NOES 39

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Beach | Drummond | Hearn | McElligott | Schifferdecker |
| Blauvelt | Egan | Herrick J J | McGrath | Seeley |
| Boylan | Evans | Herrick W R | McKeon | Sheide |
| Brace | Farrell | Heyman | Miller | Shortt |
| Brennan | Fay | Hollmann | Monczynski | Smith A E |
| Bridenbecker | Fitzpatrick | Hoyt | Mork | Spielberg |
| Bush | Foley | Huber | Myers | Trombly |
| Carew | Fry | Jackson | Neupert | Turley |
| Chanler | Geatons | Jameson | O'Connor | Warren |
| Collin | Gerhardt | Kennedy | Oliver | Washburn |
| Cosad | Gerken | LaReau | O'Neill J J | Weil |
| Cuvillier | Gillen | Manley | O'Neil M A | Wende |
| Dawson | Goldberg | Martin | Parker A | Wheeler |
| Day | Goldstein | McCue | Patrie | Zorn |
| Donnelly | Gould | McDaniels | Saunders | Speaker |
| Donovan | Hackett | | | |

Those who voted in the negative were:

| | | | | |
|----------|-------------|------------|--------------|------------|
| Ahern | Constantine | Jones | Phillips C W | Sweet |
| Baumes | Ebbetts | Keys | Phillips J S | Terry |
| Brereton | Fille | Lansing | Pierce | Waring |
| Brooks | Friedman | MacGregor | Shannon | Waters R B |
| Brown | Hammond | Merritt | Shepardson | Winters |
| Bryant | Hart | Murray | Shlivek | Yale |
| Colné | Hinman | Nolan | Stivers | Young |
| Connell | Hoff | Parker J S | Sullivan | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1700, Rec. No. 470), entitled "An act to amend the Code of Civil Procedure, in relation to actions by or against foreign executor or administrator."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the af-

firmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hammond | McElligott | Shlivek |
| Allen | Donnelly | Hart | McGrath | Shortt |
| Baumes | Donovan | Hearn | McKeon | Smith A E |
| Beach | *Drummond | Herrick J J | Merritt | Smith T K |
| Blauvelt | Ebbetts | Herrick W R | Miller | Stivers |
| Boylan | Egan | Heyman | Monczynski | Sullivan |
| Brace | Evans | Higgins | Mork | Sweet |
| Brennan | Farrell | Hinman | Murray | Talmage |
| Brereton | Fay | Hoey | Myers | Terry |
| Bridenbecker | Fillely | Hoff | Neupert | Thorn |
| Brooks | Fitzpatrick | Hollmann | Nolan | Trombly |
| Brown | Foley | Hoyt | O'Connor | Turley |
| Bryant | Friedman | Huber | Oliver | Walker |
| Bush | Fry | Jackson | O'Neill J J | Ward |
| Butler | Geatons | Jones | O'Neil M A | Waring |
| Carew | Gerhardt | Kennedy | Pappert | Warren |
| Caughlan | Gerken | Keys | Parker A | Washburn |
| Chanler | Gillen | Kopp | Parker J S | Waters R B |
| Cheney | Goldberg | Lansing | Patrie | Weil |
| Coffey | Goldstein | LaReau | Phillips C W | Wende |
| Collin | Goodwin | Lent | Pierce | Wheeler |
| Colné | Gould | Levy J | Saunders | Wilson |
| Connell | Graubard | MacGregor | Schifferdecker | Winters |
| Constantine | Gray | Manley | Seeley | Yale |
| Cosad | Gregg | Martin | Shannon | Yeomans |
| Cross | Hackett | McCue | Sheide | Young |
| Cuvillier | Haines | McDaniels | Shepardson | Zorn |
| Day | | | | |

In the negative:

Phillips J S

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1982, Rec. No. 475), entitled "An act to amend the Amsterdam city charter, in relation to election of aldermen."

On motion of Mr. Brace, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 2

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | DeLano | Hart | McGrath | Shortt |
| Baumes | Donnelly | Heain | McKeon | Smith A E |
| Beach | Donovan | Herrick J J | Miller | Smith T K |
| Blauvelt | Drummond | Herrick W R | Monczynski | Stivers |
| Boylan | Ebbetts | Heyman | Mork | Sullivan |
| Brace | Egan | Higgins | Murray | Sweet |
| Brennan | Evans | Hinman | Myers | Talmage |
| Brereton | Farrell | Hoey | Neupert | Terry |
| Bridenbecker | Fay | Hoff | Nolan | Thorn |
| Brooks | Filley | Hollmann | O'Connor | Trombly |
| Brown | Fitzpatrick | Hoyt | Oliver | Turley |
| Bryant | Foley | Huber | O'Neill J J | Walker |
| Bush | Friedman | Jackson | O'Neil M A | Ward |
| Butler | Fry | Jones | Pappert | Waring |
| Carew | Geatons | Kennedy | Parker A | Warren |
| Caughlan | Gerhardt | Keys | Parker J S | Washburn |
| Chanler | Gerken | Kopp | Patrie | Waters R B |
| Cheney | Gillen | Lansing | Phillips C W | Weil |
| Coffey | Goldberg | LaReau | Phillips J S | Wende |
| Collin | Goldstein | Lent | Pierce | Wheeler |
| Colné | Goodwin | Levy J | Saunders | Wilson |
| Connell | Gould | MacGregor | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Seeley | Yale |
| Cosad | Gray | Martin | Shannon | Yeomans |
| Cross | Gregg | McCue | Sheide | Young |
| Cuvillier | Hackett | McDaniels | Shepardson | Zorn |

Those who voted in the negative were:

Hammond Merritt

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1902, Rec. No. 437), entitled "An act to amend the Railroad Law, in relation to the fare chargeable on certain railroads operating between Flatbush avenue and Railroad avenue in Kings county."

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shlivek |
| Allen | Donnelly | Hearn | McKeon | Shortt |
| Baumes | Donovan | Herrick J | Merritt | Smith A E |
| Beach | Drummond | Herrick W R | Miller | Smith T K |
| Blauvelt | Ebbetts | Heyman | Monczynski | Stivers |
| Boylan | Egan | Higgins | Mork | Sullivan |
| Brace | Evans | Hinman | Murray | Sweet |
| Brennan | Farrell | Hoey | Myers | Talmage |
| Brereton | Fay | Hoff | Neupert | Terry |
| Bridenbecker | Filley | Hollmann | Nolan | Thorn |
| Brooks | Fitzpatrick | Hoyt | O'Connor | Trombly |
| Brown | Foley | Huber | Oliver | Turley |
| Bryant | Friedman | Jackson | O'Neill J J | Walker |
| Bush | Fry | Jones | O'Neil M A | Ward |
| Butler | Geatons | Kennedy | Pappert | Waring |
| Carew | Gerhardt | Keys | Parker A | Warren |
| Caughlan | Gerken | Kopp | Parker J S | Washburn |
| Chanler | Gillen | Lansing | Patrie | Waters R B |
| Cheney | Goldberg | LaReau | Phillips C W | Weil |
| Coffey | Goldstein | Lent | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Pierce | Wheeler |
| Colné | Gould | MacGregor | Saunders | Wilson |
| Connell | Graubard | Manley | Schifferdecker | Winters |
| Constantine | Gray | Martin | Seeley | Yale |
| Cosad | Gregg | McCue | Shannon | Yeomans |
| Cross | Hackett | McDaniels | Sheide | Young |
| Cuvillier | Haines | McElligott | Shepardson | Zorn |
| Day | Hammond | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1762, Rec. No. 310), entitled "An act to amend the Public Health Law, relative to working hours in pharmacies or drug stores."

On motion of Mr. Manley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 6

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Haines | McDaniels | Shlivek |
| Allen | Donnelly | Hammond | McElligott | Shortt |
| Baumes | Donovan | Hart | McGrath | Smith A E |
| Beach | Drummond | Hearn | McKeon | Smith T K |
| Blauvelt | Ebbetts | Herrick J J | Miller | Stivers |
| Boylan | Egan | Herrick W R | Monezynski | Sullivan |
| Brace | Evans | Heyman | Mork | Sweet |
| Brennan | Farrell | Higgins | Murray | Talmage |
| Brereton | Fay | Hinman | Myers | Terry |
| Bridenbecker | Filley | Hoev | Neupert | Thorn |
| Brooks | Fitzpatrick | Hoff | Nolan | Trombly |
| Brown | Foley | Hollmann | O'Connor | Turley |
| Bryant | Friedman | Hoyt | Oliver | Walker |
| Bush | Fry | Huber | O'Neill J J | Ward |
| Butler | Geatons | Jackson | O'Neil M A | Waring |
| Carew | Gerhardt | Kennedy | Pappert | Warren |
| Caughlan | Gerken | Keys | Parker A | Washburn |
| Chanler | Gillen | Kopp | Patrie | Waters R B |
| Cheney | Goldberg | Lansing | Phillips C W | Weil |
| Coffey | Goldstein | LaReau | Pierce | Wende |
| Collin | Goodwin | Lent | Saunders | Wheeler |
| Connell | Gould | Levy J | Schifferdecker | Wilson |
| Constantine | Graubard | MacGregor | Seeley | Winters |
| Cosad | Gray | Manley | Shannon | Yale |
| Cross | Gregg | Martin | Sheide | Yeomans |
| Cuvillier | Hackett | McCue | Shepardson | Zorn |
| Day | | | | |

Those who voted in the negative were:

| | | | | |
|-------|---------|------------|--------------|-------|
| Colné | Merritt | Parker J S | Phillips J S | Young |
| Jones | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1752, Rec. No. 421), entitled "An act to provide for the appointment of an assistant district attorney in the county of Hamilton."

On motion of Mr. Hart, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed

and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shlivek |
| Allen | Donnelly | Hearn | McKeon | Shortt |
| Baumes | Donovan | Herrick J J | Meritt | Smith A E |
| Beach | Drummond | Herrick W R | Miller | Smith T K |
| Blauvelt | Ebbetts | Heyman | Monczynski | Stivers |
| Boylan | Egan | Higgins | Mork | Sullivan |
| Brace | Evans | Hinman | Murray | Sweet |
| Brennan | Farrell | Hoey | Myers | Talmage |
| Brereton | Fay | Hoff | Neupert | Terry |
| Bridenbecker | Filley | Hollmann | Nolan | Thorn |
| Brooks | Fitzpatrick | Hoyt | O'Connor | Trombly |
| Brown | Foley | Huber | Oliver | Turley |
| Bryant | Friedman | Jackson | O'Neill J J | Walker |
| Bush | Fry | Jones | O'Neil M A | Ward |
| Butler | Geatons | Kennedy | Pappert | Waring |
| Carew | Gerhardt | Keys | Parker A | Warren |
| Caughlan | Gerken | Kopp | Parker J S | Washburn |
| Chandler | Gillen | Lansing | Patrie | Waters R B |
| Cheney | Goldberg | LaReau | Phillips C W | Weil |
| Coffey | Goldstein | Lent | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Pierce | Wheeler |
| Colné | Gould | MacGregor | Saunders | Wilson |
| Connell | Graubard | Manley | Schifferdecker | Winters |
| Constantine | Gray | Martin | Seeley | Yale |
| Cosad | Gregg | McCue | Shannon | Yeomans |
| Cross | Hackett | McDaniels | Sheide | Young |
| Cuvillier | Haines | McElligott | Shepardson | Zorn |
| Day | Hammond | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1753, Rec. No. 458), entitled "An act to amend the Code of Criminal Procedure, in relation to the qualification of the grand jury stenographer of Hamilton county."

On motion of Mr. Hart, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed

and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shlivek |
| Allen | Donnelly | Hearn | McKoon | Shortt |
| Baumes | Donovan | Herrick J J | Merritt | Smith A E |
| Beach | Drummond | Herrick W R | Miller | Smith T K |
| Blauvelt | Ebbetts | Heyman | Monczynski | Stivers |
| Boylan | Egan | Higgins | Mork | Sullivan |
| Brace | Evans | Hinman | Murray | Sweet |
| Brennan | Farrell | Hoev | Myers | Talmage |
| Brereton | Fay | Hoff | Neupert | Terry |
| Bridenbecker | Filley | Hollmann | Nolan | Thorn |
| Brooks | Fitzpatrick | Hoyt | O'Connor | Trombly |
| Brown | Foley | Huber | Oliver | Turley |
| Bryant | Friedman | Jackson | O'Neill J J | Walker |
| Bush | Fry | Jones | O'Neil M A | Ward |
| Butle | Geatons | Kennedy | Pappert | Waring |
| Carew | Gerhardt | Keys | Parker A | Warren |
| Caughlan | Gerken | Kopp | Parker J S | Washburn |
| Chanler | Gillen | Lansing | Patrie | Waters R B |
| Cheney | Goldberg | LaReau | Phillips C W | Weil |
| Coffey | Goldstein | Lent | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Pierce | Wheeler |
| Colné | Gould | MacGregor | Saunders | Wilson |
| Connell | Graubard | Manley | Schifferdecker | Winters |
| Constantine | Gray | Martin | Seeley | Yale |
| Cosad | Gregg | McCue | Shannon | Yeomans |
| Cross | Hackett | McDaniels | Sheide | Young |
| Cuvillier | Haines | McElligott | Shepardson | Zorn |
| Day | Hammond | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1812, Rec. No. 440), entitled "An act to authorize the electors of the village of Peekskill to vote upon a proposition authorizing the improving, regulating, macadamizing or paving streets, avenues or highways, and the construction of the necessary drains, curbing and gutters therefor and in connection therewith, in the village of Peekskill, Westchester county, State of New York, and to provide the manner and means of paying therefor."

On motion of Mr. Young, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shlivek |
| Allen | Donnelly | Hearn | McKeon | Shortt |
| Baumes | Donovan | Herrick J J | Merritt | Smith A E |
| Beach | Drummond | Herrick W R | Miller | Smith T K |
| Blauvelt | Ebbetts | Heyman | Monczynski | Stivers |
| Boylan | Egan | Higgins | Mork | Sullivan |
| Brace | Evans | Hinman | Murray | Sweet |
| Brennan | Farrell | Hoey | Myers | Talmage |
| Brereton | Fay | Hoff | Neupert | Terry |
| Bridenbecker | Filley | Hollmann | Nolan | Thorn |
| Brooks | Fitzpatrick | Hoyt | O'Connor | Trombly |
| Brown | Foley | Huber | Oliver | Turley |
| Bryant | Friedman | Jackson | O'Neill J J | Walker |
| Bush | Fry | Jones | O'Neil M A | Ward |
| Butler | Geatons | Kennedy | Pappert | Waring |
| Carew | Gerhardt | Keys | Parker A | Warren |
| Caughlan | Gerken | Kopp | Parker J S | Washburn |
| Chanler | Gillen | Lansing | Patrie | Waters R B |
| Cheney | Goldberg | LaReau | Phillips C W | Weil |
| Coffey | Goldstein | Lent | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Pierce | Wheeler |
| Colné | Gould | MacGregor | Saunders | Wilson |
| Connell | Graubard | Manley | Schifferdecker | Winters |
| Constantine | Gray | Martin | Seeley | Yale |
| Cosad | Gregg | McCue | Shannon | Yeomans |
| Cross | Hackett | McDaniels | Sheide | Young |
| Cuvillier | Haines | McElligott | Shepardson | Zorn |
| Day | Hammond | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2497, Int. No. 1882), entitled "An act to amend the charter of the city of Gloversville, generally."

On motion of Mr. Hart, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shlivek |
| Allen | Donnelly | Heain | McKeon | Shortt |
| Baumes | Donovan | Herrick J J | Merritt | Smith A E |
| Beach | Drummond | Herrick W R | Miller | Smith T K |
| Blauvelt | Ebbetts | Heyman | Monczynski | Stivers |
| Boylan | Egan | Higgins | Mork | Sullivan |
| Brace | Evans | Hinman | Murray | Sweet |
| Brennan | Farrell | Hoey | Myers | Talmage |
| Brereton | Fay | Hoff | Neupert | Terry |
| Bridenbecker | Filley | Hollmann | Nolan | Thorn |
| Brooks | Fitzpatrick | Hoyt | O'Connor | Trombly |
| Brown | Foley | Huber | Oliver | Turley |
| Bryant | Friedman | Jackson | O'Neill J J | Walker |
| Bush | Fry | Jones | O'Neil M A | Ward |
| Butler | Geatons | Kennedy | Pappert | Waring |
| Carew | Gerhardt | Keys | Parker A | Warren |
| Caughlan | Gerken | Kopp | Parker J S | Washburn |
| Chanler | Gillen | Lansing | Patrie | Waters R B |
| Cheney | Goldberg | LaReau | Phillips C W | Weil |
| Coffey | Goldstein | Lent | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Pierce | Wheeler |
| Colné | Gould | MacGregor | Saunders | Wilson |
| Connell | Graubard | Manley | Schifferdecker | Winters |
| Constantine | Gray | Martin | Seeley | Yale |
| Cosad | Gregg | McCue | Shannon | Yeomans |
| Cross | Hackett | McDaniels | Sheide | Young |
| Cuvillier | Haines | McElligott | Shepardson | Zorn |
| Day | Hammond | | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 361, Int. No. 354), entitled "An act conferring upon a former officer of the superior court of Buffalo the benefits of the police pension fund in the city of Buffalo."

On motion of Mr. Neupert, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shlivek |
| Allen | Donnelly | Hearn | McKeon | Shortt |
| Baumes | Donovan | Herrick J J | Merritt | Smith A E |
| Beach | Drummond | Herrick W R | Miller | Smith T K |
| Blauvelt | Ebbetts | Heyman | Monczynski | Stivers |
| Boylan | Egan | Higgins | Mork | Sullivan |
| Brace | Evans | Hinman | Murray | Sweet |
| Brennan | Farrell | Hoey | Myers | Talmage |
| Brereton | Fay | Hoff | Neupert | Terry |
| Bridenbecker | Filley | Hollmann | Nolan | Thorn |
| Brooks | Fitzpatrick | Hoyt | O'Connor | Trombly |
| Brown | Foley | Huber | Oliver | Turley |
| Bryant | Friedman | Jackson | O'Neill J J | Walker |
| Bush | Fry | Jones | O'Neil M A | Ward |
| Butler | Geatons | Kennedy | Pappert | Waring |
| Carew | Gerhardt | Keys | Parker A | Warren |
| Caughlan | Gerken | Kopp | Parker J S | Washburn |
| Chanler | Gillen | Lansing | Patrie | Waters R B |
| Cheney | Goldberg | LaReau | Phillips C W | Weil |
| Coffey | Goldstein | Lent | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Pierce | Wheeler |
| Colné | Gould | MacGregor | Saunders | Wilson |
| Connell | Graubard | Manley | Schifferdecker | Winters |
| Constantine | Gray | Martin | Seeley | Yale |
| Cosad | Gregg | McCue | Shannon | Yeomans |
| Cross | Hackett | McDaniels | Sheide | Young |
| Cuvillier | Haines | McElligott | Shepardson | Zorn |
| Day | Hammond | | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1640, Senate Reprint No. 1915, Int. No. 517), entitled "An act to amend the Liquor Tax Law, in relation to applications for liquor tax certificates for certain premises within two hundred feet of a church or schoolhouse."

Mr. Speaker stated the question to be on concurrence in the Senate amendments thereto.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 77

NOES 38

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|-------------|-------------|----------------|
| Adler | Fay | Herrick J J | McGrath | Schifferdecker |
| Blauvelt | Fitzpatrick | Herrick W R | McKeon | Seeley |
| Boylan | Foley | Heyman | Miller | Sheide |
| Brennan | Friedman | Hoey | Monczynski | Shlivek |
| Brooks | Geatons | Hollmann | Mork | Smith A E |
| Bush | Gerhardt | Hoyt | Myers | Spielberg |
| Carew | Gerken | Huber | Neupert | Sullivan |
| Chanler | Gillen | Jackson | O'Connor | Terry |
| Cosad | Goldberg | Jameson | Oliver | Trombly |
| Cuvillier | Goldstein | Kennedy | O'Neill J J | Turley |
| Dawson | Goodman | Levy J | O'Neil M A | Warren |
| Day | Gould | Manley | Pappert | Washburn |
| Donnelly | Graubard | Martin | Parker A | Weil |
| Donovan | Hackett | McCue | Patrie | Wende |
| Egan | Haines | McElligott | Saunders | Zorn |
| Farrell | Hearn | | | |

Those who voted in the negative were:

| | | | | |
|--------------|-------------|---------|--------------|------------|
| Ahern | Cheney | Hart | MacGregor | Shepardson |
| Allen | Collin | Hinman | McDaniels | Stivers |
| Beach | Colné | Hoff | Merritt | Sweet |
| Brace | Connell | Jones | Nolan | Ward |
| Brereton | Constantine | Keys | Parker J S | Waters R B |
| Bridenbecker | Ebbetts | Lansing | Phillips J S | Wheeler |
| Brown | Filley | LaReau | Pierce | Young |
| Bryant | Fry | Lent | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

Mr. Speaker announced the special order, being the bill (No. 2304, Senate Reprint No. 1986, Int. No. 862), entitled "An act to amend chapter one hundred and seventy-one of the Laws of nineteen hundred and four, entitled 'An act to provide for the continuance of the office of commissioner of records of the county of Kings, and for the completion and care of the block indexes and reindexing plant, and for the care and preservation of the county records, old town and other records,' in relation to the

term of office of the commissioner and appointment of his successor."

Mr. Speaker stated the question to be on concurrence in the Senate amendments thereto.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 77

NOES 37

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Beach | Evans | Hearn | McDaniels | Saunders |
| Blauvelt | Farrell | Herrick J J | McElligott | Schifferdecker |
| Boylan | Fay | Herrick W R | McGrath | Seeley |
| Brace | Fitzpatrick | Heyman | McKeon | Sheide |
| Brennan | Foley | Hoey | Miller | Smith A E |
| Bridenbecker | Friedman | Hoyt | Monczynisk | Spielberg |
| Bush | Fry | Huber | Mork | Terry |
| Carew | Geatons | Jackson | Myers | Trombly |
| Chanler | Gerhardt | Jameson | Neupert | Turley |
| Collin | Gerken | Kennedy | O'Connor | Warren |
| Cosad | Gillen | LaReau | Oliver | Washburn |
| Cuvillier | Goldberg | Levy J | O'Neill J J | Weil |
| Dawson | Goldstein | Manley | O'Neil M A | Wende |
| Donnelly | Gould | Martin | Parker A | Wheeler |
| Donovan | Graubard | McCue | Patrie | Zorn |
| Egan | Hackett | | | |

Those who voted in the negative were:

| | | | | |
|----------|---------|-----------|--------------|------------|
| Adler | Connell | Hollmann | Nolan | Shlivek |
| Ahern | Ebbetts | Keys | Parker J S | Stivers |
| Allen | Filley | Lansing | Phillips C W | Sullivan |
| Brereton | Goodman | Lent | Parker J S | Thorn |
| Brooks | Haines | MacGregor | Pierce | Waters R B |
| Brown | Hart | Merritt | Shannon | Winters |
| Bryant | Hinman | Murray | Shepardson | Young |
| Colné | Hoff | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

Mr. Speaker announced the special order, being the bill (No. 1146, Senate Reprint No. 1898, Int. No. 1020), entitled "An act to amend chapter five hundred and sixty-four of the Laws of nineteen hundred and two, entitled 'An act in relation to juror,

and to the appointment and duties of a commissioner of jurors in the county of Kings.' ”

Mr. Speaker stated the question to be on concurrence in the Senate amendments thereto.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 77

NOES 36

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Beach | Evans | Hearn | McDaniels | Saunders |
| Blauvelt | Farrell | Herrick J J | McElligott | Schifferdecker |
| Boylan | Fay | Herrick W R | McGrath | Seeley |
| Brace | Fitzpatrick | Heyman | McKeon | Sheide |
| Brennan | Foley | Hoey | Miller | Smith A E |
| Bridenbecker | Friedman | Hoyt | Monczynski | Spielberg |
| Bush | Fry | Huber | Mork | Terry |
| Carew | Geatons | Jackson | Myers | Trombly |
| Chanler | Gerhardt | Jameson | Neupert | Turley |
| Collin | Gerken | Kennedy | O'Connor | Warren |
| Cosad | Gillen | LaReau | Oliver | Washburn |
| Cuvillier | Goldberg | Levy J | O'Neill J J | Weil |
| Dawson | Goldstein | Manley | O'Neil M A | Wende |
| Donnelly | Gould | Martin | Parker A | Wheeler |
| Donovan | Graubard | McCue | Patrie | Zorn |
| Egan | Hackett | | | |

Those who voted in the negative were:

| | | | | |
|----------|---------|-----------|--------------|------------|
| Adler | Connell | Hoff | Murray | Shepardson |
| Ahern | Ebbetts | Hollmann | Nolan | Shlivek |
| Allen | Filley | Keys | Parker J S | Stivers |
| Brereton | Goodman | Lansing | Phillips C W | Sullivan |
| Brooks | Haines | Lent | Phillips J S | Thorn |
| Brown | Hart | MacGregor | Pierce | Waters R B |
| Bryant | Hinman | Merritt | Shannon | Young |
| Colné | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate bill (No. 737, Rec. No. 82) entitled “An act to amend chapter three hundred and sixty-nine of the Laws of eighteen hundred and ninety-five, entitled ‘An act creating a commissioner of jurors for each county of the State, having a certain

population, and regulating and prescribing his duties; also providing in what manner jury lists shall be made up and jurors drawn and notified in the courts of record in such counties, and how they may be exempted or excused, and the length of service of such jurors generally,' in relation to the deposit of names in the jury box and the qualification of jurors," having been announced for a third reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The bill (No. 2543, Int. No. 1123) entitled "An act to amend the Liquor Tax Law, in relation to obstruction in windows."

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The bill (No. 2544, Int. No. 1336) entitled "An act to amend the Labor Law, in relation to mercantile establishments," having been announced for a third reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The bill (No. 1221, Int. No. 1056) entitled "An act authorizing the city of Buffalo to enter into contract with the Delaware, Lackawanna and Western Railroad Company and the New York, Lackawanna and Western Railway Company, or either of them, for the purpose of securing adequate and proper freight and passenger terminals of said company or companies and to carry out and perform the provisions of said contract or contracts and the terms and conditions incidental thereto, including the purchase, sale or exchange of properties and the closing, discontinuance, alteration or relocation of streets, alleys, or public grounds, or parts thereof, in said city, having been announced for a third reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

Mr. O'Connor moved to take from the table his motion to reconsider the vote by which Assembly bill (No. 635, Int. No.

603), entitled "An act to amend the Insurance Law, in relation to the standard provisions in life insurance policies," was lost May 17th.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill having been announced,

Mr. O'Connor moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shlivek |
| Allen | Donnelly | Hearn | McKeon | Shortt |
| Baumes | Donovan | Herrick J J | Merritt | Smith A E |
| Beach | Drummond | Herrick W R | Miller | Smith T K |
| Blauvelt | Ebbetts | Heyman | Monczynski | Stivers |
| Boylan | Egan | Higgins | Mork | Sullivan |
| Brace | Evans | Hinman | Murray | Sweet |
| Brennan | Farrell | Hoey | Myers | Talmage |
| Brereton | Fay | Hoff | Neupert | Terry |
| Bridenbecker | Filley | Hollmann | Nolan | Thorn |
| Brooks | Fitzpatrick | Hoyt | O'Connor | Trombly |
| Brown | Foley | Huber | Oliver | Turley |
| Bryant | Friedman | Jackson | O'Neill J J | Walker |
| Bush | Fry | Jones | O'Neil M A | Ward |
| Butler | Geatons | Kennedy | Pappert | Waring |
| Carew | Gerhardt | Keys | Parker A | Warren |
| Caughlan | Gerken | Kopp | Parker J S | Washburn |
| Chanler | Gillen | Lansing | Patrie | Waters R B |
| Cheney | Goldberg | LaReau | Phillips C W | Weil |
| Coffey | Goldstein | Lent | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Pierce | Wheeler |
| Colné | Gould | MacGregor | Saunders | Wilson |
| Connell | Graubard | Manley | Schifferdecker | Winters |
| Constantine | Gray | Martin | Seeley | Yale |
| Cosad | Gregg | McCue | Shannon | Yeomans |
| Cross | Hackett | McDaniels | Sheide | Young |
| Cuvillier | Haines | McElligott | Shepardson | Zorn |
| Day | Hammond | | | |

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the af-

firmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 87

NOES 20

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-----------|--------------|----------------|
| Allen | Evans | Hoff | McElligott | Schifferdecker |
| Beach | Farrell | Hollmann | McGrath | Seeley |
| Boylan | Fay | Hoyt | McKeon | Sheide |
| Brace | Filley | Huber | Miller | Shlivek |
| Brennan | Fitzpatrick | Jackson | Monczynski | Smith A E |
| Bridenbecker | Fry | Jameson | Mork | Spielberg |
| Brooks | Geatons | Jones | Murray | Sullivan |
| Bush | Gerhardt | Kennedy | Myers | Sweet |
| Carew | Goldberg | Keys | Neupert | Trombly |
| Collin | Goldstein | Lansing | O'Connor | Turley |
| Connell | Goodman | LaReau | O'Neill J J | Warren |
| Constantine | Graubard | Lent | O'Neil M A | Washburn |
| Cosad | Hackett | Levy J | Pappert | Waters R B |
| Dawson | Haines | Manley | Parker A | Weil |
| Day | Hart | Martin | Phillips C W | Wende |
| Donnelly | Hearn | McCue | Phillips J S | Wheeler |
| Donovan | Herrick J J | McDaniels | Saunders | Zorn |
| Egan | Heyman | | | |

Those who voted in the negative were:

| | | | | |
|----------|-----------|-----------|------------|---------|
| Adler | Chanler | Hinman | Oliver | Stivers |
| Blauvelt | Cheney | MacGregor | Pierce | Thorn |
| Brereton | Colné | Merritt | Shannon | Winters |
| Bryant | Cuvillier | Nolan | Shepardson | Young |

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. O'Connor moved to take from the table his motion to reconsider the vote by which Assembly bill (No. 801, Int. No. 62), entitled "An act to amend the Insurance Law, in relation to forfeiture of policy without notice," was lost May 17th.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill having been announced,

Mr. O'Connor moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shlivek |
| Allen | Donnelly | Hearn | McKeon | Shortt |
| Baumes | Donovan | Herrick J J | Merritt | Smith A E |
| Beach | Drummond | Herrick W R | Miller | Smith T K |
| Blauvelt | Ebbetts | Heyman | Monezynski | Stivers |
| Boylan | Egan | Higgins | Mork | Sullivan |
| Brace | Evans | Hinman | Murray | Sweet |
| Prennan | Farrell | Hoey | Myers | Talmage |
| Brereton | Fay | Hoff | Neupert | Terry |
| Bridenbecker | Fillely | Hollmann | Nolan | Thorn |
| Brooks | Fitzpatrick | Hoyt | O'Connor | Trombly |
| Brown | Foley | Huber | Oliver | Turley |
| Bryant | Friedman | Jackson | O'Neill J J | Walker |
| Push | Fry | Jones | O'Neil M A | Ward |
| Butler | Geatons | Kennedy | Pappert | Waring |
| Carew | Gerhardt | Keys | Parker A | Warren |
| Caughlan | Gerken | Kopp | Parker J S | Washburn |
| Chanler | Gillen | Lansing | Patrie | Waters R B |
| Cheney | Goldberg | LaReau | Phillips C W | Weil |
| Coffey | Goldstein | Lent | Parker J S | Wende |
| Collin | Goodwin | Levy J | Pierce | Wheeler |
| Colné | Gould | MacGregor | Saunders | Wilson |
| Connell | Graubard | Manley | Schifferdecker | Winters |
| Constantine | Gray | Martin | Seeley | Yale |
| Cosad | Gregg | McCue | Shannon | Yeomans |
| Cross | Hackett | McDaniels | Sheide | Young |
| Cuvillier | Haines | McElligott | Shepardson | Zorn |
| Day | Hammond | | | |

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 90

NOES 17

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Allen | Donovan | Herrick J J | McCue | Saunders |
| Peach | Egan | Heyman | McDaniels | Schifferdecker |
| Plauvelt | Evans | Hinman | McElligott | Seeley |
| Poylan | Farrell | Hoff | McGrath | Sheide |
| Prace | Fay | Hollmann | McKeon | Shlivek |
| Prennan | Fillely | Hoyt | Miller | Smith A E |
| Pridenbecker | Fitzpatrick | Huber | Monezynski | Spielberg |
| Brooks | Fry | Jackson | Mork | Sullivan |
| Push | Geatons | Jameson | Murray | Sweet |
| Carew | Gerhardt | Jones | Myers | Trombly |
| Collin | Goldberg | Kennedy | Neupert | Turley |
| Connell | Goldstein | Keys | O'Connor | Warren |
| Constantine | Goodman | Lansing | O'Neill J J | Washburn |
| Cosad | Graubard | LaReau | O'Neil M A | Waters R B |

| | | | | |
|-----------|---------|--------|--------------|---------|
| Cuvillier | Hackett | Lent | Pappert | Weil |
| Dawson | Haines | Levy J | Parker A | Wende |
| Day | Hart | Manley | Phillips C W | Wheeler |
| Donnelly | Hearn | Martin | Phillips J S | Zorn |

Those who voted in the negative were:

| | | | | |
|----------|-----------|--------|------------|---------|
| Adler | Cheney | Nolan | Shannon | Thorn |
| Brereton | Colné | Oliver | Shepardson | Winters |
| Bryant | MacGregor | Pierce | Stivers | Young |
| Chanler | Merritt | | | |

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate returned the Assembly bill (No. 169, Senate Reprint No. 1954, Int. No. 168), entitled "An act to amend the Public Service Commissions Law, in relation to transportation of passengers at reduced rates, in certain cases," with a message that they have concurred in the passage of the same, with the following amendments:

Page 3, line 4, after the word "rates" insert in italics the following: "Provided, further, that the term 'employee' as used in this subdivision shall include furloughed, pensioned and superannuated employees, persons who have become disabled or infirm in the service of any such common carrier, and the remains of a person killed in the employment of a carrier and ex-employees traveling for the purpose of entering the service of any such common carrier; and the term 'families' as used in this subdivision shall include the families of those named in this proviso, also the families of persons killed, and the widows during widowhood and minor children during minority of persons who died while in the service of any such common carrier."

"§ 2. This act shall take effect immediately."

On page 3, line 3, amend by striking out all words after the word "rates" down to and including the word "carrier" on line 14 of this page.

Mr. Kopp moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shlivek |
| Allen | Donnelly | Hearn | McKeon | Shortt |
| Baumes | Donovan | Herrick J J | Merritt | Smith A E |
| Beach | Drummond | Herrick W R | Miller | Smith T K |
| Blauvelt | Ebbetts | Heyman | Monezynski | Stivers |
| Boylan | Egan | Higgins | Mork | Sullivan |
| Brace | Evans | Hinman | Murray | Sweet |
| Brennan | Farrell | Hoey | Myers | Talmage |
| Brereton | Fay | Hoff | Neupert | Terry |
| Bridenbecker | Filley | Hollmann | Nolan | Thorn |
| Brooks | Fitzpatrick | Hoyt | O'Connor | Trombly |
| Brown | Foley | Huber | Oliver | Turley |
| Bryant | Friedman | Jackson | O'Neill J J | Walker |
| Bush | Fry | Jones | O'Neil M A | Ward |
| Butler | Geatons | Kennedy | Pappert | Waring |
| Carew | Gerhardt | Keys | Parker A | Warren |
| Caughlan | Gerken | Kopp | Parker J S | Washburn |
| Chanler | Gillen | Lansing | Patrie | Waters R B |
| Cheney | Goldberg | LaReau | Phillips C W | Weil |
| Coffey | Goldstein | Lent | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Pierce | Wheeler |
| Colné | Gould | MacGregor | Saunders | Wilson |
| Connell | Graubard | Manley | Schifferdecker | Winters |
| Constantine | Gray | Martin | Seeley | Yaje |
| Cosad | Gregg | McCue | Shannon | Ye omans |
| Cross | Hackett | McDaniels | Sheide | Young |
| Cuvillier | Haines | McElligott | Shepardson | Zorn |
| Day | Hammond | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1687, Senate Reprint No. 2052, Int. No. 1411), entitled "An act to amend the County Law, in relation to the powers of boards of supervisors," with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 1, between the words "Sections" and "forty-one" insert the word "forty".

Page 1, between lines 5 and 6, insert the following: "40. Commissioner of Labor. There shall continue to be a Department of Labor, the head of which shall be the Commissioner of Labor, who shall be appointed by the Governor by and with the advice and consent of the Senate and who shall hold office for a term of four years beginning on the first day of January of the year in which he is appointed. He shall receive an annual salary of [five] *six* thousand dollars. He shall appoint all officers, clerks and other employees in the Department of Labor."

Page 3, line 3, strike out the word " May " and insert in place thereof the word " October ".

Page 1, line 9, strike out the word " four " and insert in place thereof the word " five ".

Page 1, line 10, strike out the word " three " and insert in place thereof the word " four ".

Mr. C. W. Phillips moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shlivek |
| Allen | Donnelly | Hearn | McKeon | Shortt |
| Baumes | Donovan | Herrick J J | Merritt | Smith A E |
| Beach | Drummond | Herrick W R | Miller | Smith T K |
| Blauvelt | Ebbetts | Heyman | Monczynski | Stivers |
| Boylan | Egan | Higgins | Mork | Sullivan |
| Brace | Evans | Hinman | Murray | Sweet |
| Brennan | Farrell | Hoey | Myers | Talmage |
| Brereton | Fay | Hoff | Neupert | Terry |
| Bridenbecker | Filley | Hollmann | Nolan | Thorn |
| Brooks | Fitzpatrick | Hoyt | O'Connor | Trombly |
| Brown | Foley | Huber | Oliver | Turley |
| Bryant | Friedman | Jackson | O'Neill J J | Walker |
| Bush | Fry | Jones | O'Neil M A | Ward |
| Butler | Geatons | Kennedy | Pappert | Waring |
| Carew | Gerhardt | Keys | Parker A | Warren |
| Caughlan | Gerken | Kopp | Parker J S | Washburn |
| Chanler | Gillen | Lansing | Patrie | Waters R B |
| Cheney | Goldberg | LaReau | Phillips C W | Weil |
| Coffey | Goldstein | Lent | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Pierce | Wheeler |
| Colné | Gould | MacGregor | Saunders | Wilson |
| Connell | Graubard | Manley | Schifferdecker | Winters |
| Constantine | Gray | Martin | Seeley | Yale |
| Cosad | Gregg | McCue | Shannon | Yeomans |
| Cross | Hackett | McDaniels | Sheide | Young |
| Cuvillier | Haines | McElligott | Shepardson | Zorn |
| Day | Hammond | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1691, Senate Re-print No. 1836, Int. No. 1415), entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for pheasants," with a message that they have concurred in the passage of the same, with the following amendments:

Title, omit words "in certain towns of Oswego county".

Page 2, line 2, insert brackets around word "Erie".

Line 6, insert brackets around word "Erie".

Line 6, before word "Parish" insert words "Albion, Williams-town".

Line 9, insert brackets around word "October" and add there-after in italics the word "November" (both times).

Line 20, insert brackets around word "and" and in place thereof insert comma.

Line 20, after word "Dutchess" insert words "and Fulton".

Lines 21-22, insert brackets around sentence "and in Fulton county from September sixteenth to November thirtieth".

Mr. T. K. Smith moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|------------|
| Adler | DeLano | Hart | McGrath | Shlivek |
| Allen | Donnelly | Hearn | McKeon | Shortt |
| Baumes | Donovan | Herrick J J | Merritt | Smith A E |
| Beach | Drummond | Herrick W R | Miller | Smith T K |
| Blauvelt | Ebbetts | Heyman | Monezynski | Stivers |
| Boylan | Egan | Higgins | Mork | Sullivan |
| Brace | Evans | Hinman | Murray | Sweet |
| Brennan | Farrell | Hoey | Myers | Talmage |
| Brereton | Fay | Hoff | Neupert | Terry |
| Bridenbecker | Filley | Hollmann | Nolan | Thorn |
| Brooks | Fitzpatrick | Hoyt | O'Connor | Trombly |
| Brown | Foley | Huber | Oliver | Turley |
| Bryant | Friedman | Jackson | O'Neill J J | Walker |
| Bush | Fry | Jones | O'Neil M A | Ward |
| Butler | Geatons | Kennedy | Pappert | Waring |
| Carew | Gerhardt | Keys | Parker A | Warren |
| Caughlan | Gerken | Kopp | Parker J S | Washburn |
| Chanler | Gillen | Lansing | Patrie | Waters R B |

| | | | | |
|-------------|-----------|------------|----------------|---------|
| Cheney | Goldberg | LaReau | Phillips C W | Weil |
| Coffey | Goldstein | Lent | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Pierce | Wheeler |
| Colné | Gould | MacGregor | Saunders | Wilson |
| Connell | Graubard | Manley | Schifferdecker | Winters |
| Constantine | Gray | Martin | Seeley | Yale |
| Cosad | Gregg | McCue | Shannon | Yeomans |
| Cross | Hackett | McDaniels | Sheide | Young |
| Cuvillier | Haines | McElligott | Shepardson | Zorn |
| Day | Hammond | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2448, Senate Reprint No. 1957, Int. No. 1948), entitled "An act to legalize and confirm the official acts of the various females appointed commissioners of deeds by the common council of the city of Niagara Falls between the thirteenth day of April, nineteen hundred and four, and the first day of January, nineteen hundred and eleven," with a message that they have concurred in the passage of the same, with the following amendment:

On page 2, line 4, after the word " Falls " insert the following: " Nothing contained in this section shall affect any action or proceeding pending at the time this act takes effect."

Mr. Constantine moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|------------|-----------|
| Adler | DeLano | Hart | McGrath | Shlivek |
| Allen | Donnelly | Hearn | McKeon | Shortt |
| Baumes | Donovan | Herrick J J | Merritt | Smith A E |
| Beach | Drummond | Herrick W R | Miller | Smith T K |
| Blauvelt | Ebbetts | Heyman | Monczynski | Stivers |
| Boylan | Egan | Higgins | Mork | Sullivan |
| Brace | Evans | Hinman | Murray | Sweet |
| Brennan | Farrell | Hoey | Myers | Talmage |
| Brereton | Fay | Hoff | Neupert | Terry |
| Bridenbecker | Filley | Hollmann | Nolan | Thorn |
| Brooks | Fitzpatrick | Hoyt | O'Connor | Trombly |

| | | | | |
|-------------|-----------|------------|----------------|------------|
| Brown | Foley | Huber | Oliver | Turley |
| Bryant | Friedman | Jackson | O'Neill J J | Walker |
| Bush | Fry | Jones | O'Neil M A | Ward |
| Butler | Geatons | Kennedy | Pappert | Waring |
| Carew | Gerhardt | Keys | Parker A | Warren |
| Caughlan | Gerken | Kopp | Parker J S | Washburn |
| Chanler | Gillen | Lausing | Patrie | Waters R B |
| Cheney | Goldberg | LaReau | Phillips C W | Weil |
| Coffey | Goldstein | Lent | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Pierce | Wheeler |
| Colné | Gould | MacGregor | Saunders | Wilson |
| Connell | Graubard | Manley | Schifferdecker | Winters |
| Constantine | Gray | Martin | Seeley | Yale |
| Cosad | Gregg | McCue | Shannon | Yeomans |
| Cross | Hackett | McDaniels | Sheide | Young |
| Cuvillier | Haines | McElligott | Shepardson | Zorn |
| Day | Hammond | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate sent for concurrence Senate bill (No. 1796, Rec. No. 312), entitled "An act to amend chapter three hundred of the Laws of nineteen hundred and four, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' generally," with a message that this bill was duly passed by the Senate and Assembly, and was transmitted to the mayor of the city of Niagara Falls for a public hearing in said city, as provided by law, and was returned by said mayor with a message that said bill, after a public hearing thereon, had not been accepted by the city nor by the mayor. Said bill was thereafter and on this day again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be: "Shall this bill pass notwithstanding the objection of the mayor of the city of Niagara Falls thereto?"

Mr. Speaker stated the question to be "Shall this bill pass notwithstanding the objections of the mayor and the common council, the legislative body, of the city of Niagara Falls thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 102

NOES 1

Those who voted in the affirmative were:

| | | | | |
|-------------|-------------|-------------|----------------|------------|
| Ahern | Day | Herrick J J | Manley | Smith A E |
| Allen | DeLano | Herrick W R | Martin | Smith T K |
| Baumes | Donnelly | Hinman | McDaniels | Stivers |
| Beach | Donovan | Hoey | McElligott | Sullivan |
| Blauvelt | Drummond | Hoff | McKeon | Sweet |
| Boylan | Ebbetts | Hollmann | Miller | Talmage |
| Brennan | Evans | Hoyt | Myers | Terry |
| Brereton | Farrell | Huber | Neupert | Thorn |
| Brown | Fay | Jackson | Nolan | Trombly |
| Bryant | Fitzpatrick | Jameson | Olivei | Turley |
| Butler | Foley | Jones | O'Neil M A | Waring |
| Carew | Geatons | Kennedy | Pappert | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Collin | Gould | Kopp | Patrie | Wende |
| Colné | Graubard | Lansing | Pierce | Wheeler |
| Connell | Gregg | LaReau | Saunders | Wilson |
| Constantine | Gurnett | Levy A J | Schifferdecker | Yale |
| Cosad | Hackett | Levy J | Seeley | Yeomans |
| Cross | Haines | Lincoln | Shannon | Young |
| Cuvillier | Hart | Macdonald | Shepardson | Zorn |
| Dawson | Hearn | | | |

In the negative:

Phillips J S

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication was received June 21st from Hon. Benjamin McClung, mayor of the city of Newburgh, returning Assembly bill (No. 2322, Int. No. 758), entitled "An act to authorize the commissioners of the home of the city and town of Newburgh to grant a right of way for railroad purposes across the premises owned by them," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same, but said bill was not returned within the time prescribed by the Constitution.

Mr. Speaker stated the question to be "Shall this bill pass notwithstanding the failure of the mayor of the city of Newburgh to return said bill within the time prescribed by the Constitution?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon

the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shlivek |
| Allen | Donnelly | Hearn | McKeon | Shortt |
| Baumes | Donovan | Herrick J J | Merritt | Smith A E |
| Beach | Drummond | Herrick W R | Miller | Smith T K |
| Blauvelt | Ebbetts | Heyman | Monczynski | Stivers |
| Boylan | Egan | Higgins | Mork | Sullivan |
| Brace | Evans | Hinman | Murray | Sweet |
| Brennan | Farrell | Hoey | Myers | Talmage |
| Brereton | Fav | Hoff | Neupert | Terry |
| Bridenbecker | Filley | Hollmann | Nolan | Thorn |
| Brooks | Fitzpatrick | Hoyt | O'Connor | Trombly |
| Brown | Foley | Huber | Oliver | Turley |
| Bryant | Friedman | Jackson | O'Neill J J | Walker |
| Bush | Fry | Jones | O'Neil M A | Ward |
| Butler | Geatons | Kennedy | Pappert | Waring |
| Carew | Gerhardt | Keys | Parker A | Warren |
| Caughlan | Gerken | Kopp | Parker J S | Washburn |
| Chanler | Gillen | Lansing | Patrie | Waters R B |
| Cheney | Goldberg | LaReau | Phillips C W | Weil |
| Coffey | Goldstein | Lent | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Pierce | Wheeler |
| Colné | Gould | MacGregor | Saunders | Wilson |
| Connell | Graubard | Manley | Schifferdecker | Winters |
| Constantine | Gray | Martin | Seeley | Yale |
| Cosad | Gregg | McCue | Shannon | Yeomans |
| Cross | Hackett | McDaniels | Sheide | Young |
| Cuvillier | Haines | McElligott | Shepardson | Zorn |
| Day | Hammond | | | |

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A communication was received June 23d from Hon. Samuel A. Carlson, mayor of the city of Jamestown, returning Assembly bill (No. 1217, Int. No. 1052), entitled "An act to legalize and confirm a special election held in the city of Jamestown on the fourteenth day of January, nineteen hundred and eleven, and the propositions adopted thereat authorizing the raising of money by or issuing of bonds for hospital and fire department purposes," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same, but said bill was not returned within the time prescribed by the Constitution.

Mr. Speaker stated the question to be "Shall this bill pass notwithstanding the failure of the mayor of the city of James-

town to return said bill within the time prescribed by the Constitution?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shlivek |
| Allen | Donnelly | Hearn | McKeon | Shortt |
| Baumes | Donovan | Herrick J J | Meritt | Smith A E |
| Beach | Drummond | Herrick W R | Miller | Smith T K |
| Blauvelt | Ebbetts | Heyman | Monczynski | Stivers |
| Boylan | Egan | Higgins | Mork | Sullivan |
| Brace | Evans | Hinman | Murray | Sweet |
| Brennan | Farrell | Hoey | Myers | Talmage |
| Brereton | Fay | Hoff | Neupert | Terry |
| Bridenbecker | Filley | Hollmann | Nolan | Thorn |
| Brooks | Fitzpatrick | Hoyt | O'Connor | Trombly |
| Brown | Foley | Huber | Oliver | Turley |
| Bryant | Friedman | Jackson | O'Neill J J | Walker |
| Bush | Fry | Jones | O'Neil M A | Ward |
| Butler | Geatons | Kennedy | Pappert | Waring |
| Carew | Gerhardt | Keys | Parker A | Warren |
| Caughlan | Gerken | Kopp | Parker J S | Washburn |
| Chanler | Gillen | Lansing | Patrie | Waters R B |
| Cheney | Goldberg | LaReau | Phillips C W | Weil |
| Coffey | Goldstein | Lent | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Pierce | Wheeler |
| Colné | Gould | MacGregor | Saunders | Wilson |
| Connell | Graubard | Manley | Schifferdecker | Winters |
| Constantine | Gray | Martin | Seeley | Yale |
| Cosad | Gregg | McCue | Shannon | Yeomans |
| Cross | Hackett | McDaniels | Sheide | Young |
| Cuvillier | Haines | McElligott | Shepardson | Zorn |
| Day | Hammond | | | |

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A communication from the mayor of the city of New York was received and read, in the words following:

STATE OF NEW YORK — MAYOR'S OFFICE,

CITY OF NEW YORK, 1910.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment a certified copy of Assembly bill (No. 814, Senate Reprint No. 1858, Int. No. 744), entitled

"An act to amend the Greater New York charter so as to provide for a relief and pension fund for the benefit of the members of the clerical and uniformed forces of the department of street cleaning."

WILLIAM J. GAYNOR,

Mayor of the city of New York.

Said bill having been announced,

Mr. McGrath moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shlivek |
| Allen | Donnelly | Hearn | McKeon | Shortt |
| Baumes | Donovan | Herrick J J | Merritt | Smith A E |
| Beach | Drummond | Herrick W R | Miller | Smith T K |
| Blauvelt | Ebbetts | Heyman | Moneczynski | Stivers |
| Boylan | Egan | Higgins | Mork | Sullivan |
| Brace | Evans | Hinman | Murray | Sweet |
| Brennan | Farrell | Hoe | Myers | Talmage |
| Brereton | Fay | Hoff | Neupert | Terry |
| Bridenbecker | Filley | Hollmann | Nolan | Thorn |
| Brooks | Fitzpatrick | Hoyt | O'Connor | Trombly |
| Brown | Foley | Huber | Oliver | Turley |
| Bryant | Friedman | Jackson | O'Neill J J | Walker |
| Bush | Fry | Jones | O'Neil M A | Ward |
| Butler | Geatons | Kennedy | Pappert | Waring |
| Carew | Gerhardt | Keys | Parker A | Warren |
| Caughlan | Gerken | Kopp | Parker J S | Washburn |
| Chanler | Gillen | Lansing | Patrie | Waters R B |
| Cheney | Goldberg | LaReau | Phillips C W | Weil |
| Coffey | Goldstein | Lent | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Pierce | Wheeler |
| Colné | Gould | MacGregor | Saunders | Wilson |
| Connell | Graubard | Manley | Schifferdecker | Winters |
| Constantine | Gray | Martin | Seeley | Yale |
| Cosad | Gregg | McCue | Shannon | Yeomans |
| Cross | Hackett | McDaniels | Sheide | Young |
| Cuvillier | Haines | McElligott | Shepardson | Zorn |
| Day | Hammond | | | |

Mr. McGrath moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith, amended as follows:

On page 9, at lines 3, 4 and 5, strike out the following words: "or any such member who is an honorably discharged soldier or sailor from the army or navy of the United States in the late Civil War,".

On page 9, line 5, after the word "sixty" strike out the dash.

On page 9, line 6, strike out the word "five".

On page 10, line 4, strike out the word "September" and insert in its place the word "October".

On page 10, line 15, strike out the word "August" and insert in its place the word "September".

On page 10, line 25, strike out the word "August" and insert in its place the word "September".

On page 11, line 9, strike out the word "August" and insert in its place the word "September".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Foley, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication was received June 23d from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2397, Int. No. 1915), entitled "An act directing the comptroller of the city of New York to cancel certain assessments on real property in the borough of Brooklyn, and refund assessments heretofore paid, and assess the same on the borough of Brooklyn," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

Said bill having been announced,

Mr. Farrell moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shlivek |
| Allen | Donnelly | Hearn | McKeon | Shortt |
| Baumes | Donovan | Herrick J J | Merritt | Smith A E |
| Beach | Drummond | Herrick W R | Miller | Smith T K |
| Blauvelt | Ebbetts | Heyman | Monczynski | Stivers |
| Boylan | Egan | Higgins | Mork | Sullivan |
| Brace | Evans | Hinman | Murray | Sweet |
| Brennan | Farrell | Hoey | Myers | Talmage |
| Brereton | Fay | Hoff | Neupert | Terry |
| Bridenbecker | Filley | Hollmann | Nolan | Thorn |
| Brooks | Fitzpatrick | Hoyt | O'Connor | Trombly |
| Brown | Foley | Huber | Oliver | Turley |
| Bryant | Friedman | Jackson | O'Neill J J | Walker |
| Bush | Fry | Jones | O'Neil M A | Ward |
| Butler | Geatons | Kennedy | Pappert | Waring |
| Carew | Gerhardt | Keys | Parker A | Warren |
| Caughlan | Gerken | Kopp | Parker J S | Washburn |
| Chanler | Gillen | Lansing | Patrie | Waters R B |
| Cheney | Goldberg | LaReau | Phillips C W | Weil |
| Coffey | Goldstein | Lent | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Pierce | Wheeler |
| Colné | Gould | MacGregor | Saunders | Wilson |
| Connell | Graubard | Manley | Schifferdecker | Winters |
| Constantine | Gray | Martin | Seeley | Yale |
| Cosad | Gregg | McCue | Shannon | Yeomans |
| Cross | Hackett | McDaniels | Sheide | Young |
| Cuvillier | Haines | McElligott | Shepardson | Zorn |
| Day | Hammond | | | |

Mr. Farrell moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith, amended as follows:

First line of title strike out the word "comptroller" and insert "board of estimate and apportionment".

After the words "New York" in title insert "in its discretion".

Page 1, line 1, strike out word "comptroller" and insert "board of estimate and apportionment".

Line 2, after word "directed" insert "in its discretion".

Page 2, line 1, strike out the word "comptroller" and insert "board of estimate and apportionment in its discretion".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Foley, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. M. A. O'Neil offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2473, Int. No. 1548), entitled "An act to amend sections seven hundred and fifteen, ten hundred and fifteen, nineteen hundred and forty-seven, twenty-seven hundred and twenty-five and twenty-seven hundred and twenty-eight of the Code of Civil Procedure, by adding matter relating to accountants," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Gould offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2422, Int. No. 1248), entitled "An act to consolidate and revise the laws relating to the city of Lockport," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, June 28, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2473, Int. No. 1548), entitled "An act to amend sections seven hundred and fifteen, ten hundred and fifteen, nineteen hundred and forty-seven, twenty-seven hundred and twenty-five and twenty-seven hundred and twenty-eight of the Code of Civil Procedure, by adding matter relating to accountants."

JOHN A. DIX.

The Senate returned the Assembly bill (No. 1507, Senate Reprint No. 1899, Int. No. 1277), entitled "An act making appropriations for construction, additions and improvements at the State hospitals for the insane."

Also, Assembly bill (No. 1109, Senate Reprint No. 2001, Int. No. 53), entitled "An act to amend the Penal Law, in relation to kidnapping."

Also, Assembly bill (No. 722, Senate Reprint No. 1806, Int. No. 264), entitled "An act to amend the Tax Law, in relation to receipts by collectors and receivers of taxes."

Also, Assembly bill (No. 1385, Senate Reprint No. 2000, Int. No. 1175), entitled "An act to amend chapter seven hundred and four of the Laws of nineteen hundred and one, entitled 'An act to make the office of the clerk of the county of Kings a salaried office, and regulating the management of said office,' generally."

Also, Assembly bill (No. 1356, Senate Reprint No. 1834, Int. No. 303), entitled "An act to amend the Forest, Fish and Game Law, in relation to spearing, hooking and set lines."

Also, Assembly bill (No. 1911, Senate Reprint No. 1833, Int. No. 696), entitled "An act to amend the Public Health Law, in relation to the use of common drinking cups."

Also, Assembly bill (No. 2130, Senate Reprint No. 1938, Int. No. 1719), entitled "An act to amend the Navigation Law, in relation to the appointment and powers of harbor-masters in cities and villages along the Hudson river."

Also, Assembly bill (No. 568, Senate Reprint No. 2002, Int. No. 552), entitled "An act to amend the Forest, Fish and Game Law, in relation to the open season for lake trout in certain waters and the use of nets in Seneca lake."

Also, Assembly bill (No. 1857, Senate Reprint No. 2015, Int. No. 1060), entitled "An act to amend the Personal Property Law, relative to lenders of money on salaries."

Also, Assembly bill (No. 1414, Senate Reprint No. 1912, Int. No. 1198), entitled "An act to extend the corporate existence of the Dunderberg Club, for certain purposes, and to validate its conveyances of real and personal estate and the election of its trustees."

Also, Assembly bill (No. 1856, Senate Reprint No. 1975, Int.

No. 532), entitled "An act to amend the General Corporation Law, in relation to corporate names."

Also, Assembly bill (No. 1512, Senate Reprint No. 1913, Int. No. 1282), entitled "An act to amend the Forest, Fish and Game Law, in relation to the open season for deer in the county of Oswego and in the town of Neversink, county of Sullivan."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Senate bill (No. 1014, Assembly Reprint No. 2524, Rec. No. 114), entitled "An act to incorporate the Lutheran Immigrant Society."

Also, Senate bill (No. 1745, Assembly Reprint No. 2520, Rec. No. 340), entitled "An act to amend the Highway Law, in relation to a new highway route to be improved by the State, and making an appropriation therefor."

Also, Senate bill (No. 1069, Assembly Reprint No. 2521, Rec. No. 261), entitled "An act to amend the State Finance Law, in relation to the education fund," with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the concurrent resolution recalling from the mayor of the city of New York, for the purpose of amendment, the certified copy of Assembly bill (No. 814, Senate Reprint No. 1858, Int. No. 744), entitled "An act to amend the Greater New York charter, so as to provide for a relief and pension fund for the benefit of the members of the clerical and uniformed forces of the department of street cleaning," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said resolution to the mayor of the city of New York.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2473, Int. No. 1548), entitled "An act to amend sections seven hundred and fifteen, ten hundred and fifteen, nineteen hundred and forty-seven, twenty-seven hundred and twenty-five and twenty-seven hundred and twenty-eight of the Code of Civil Procedure, by adding matter relating to accountants," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2422, Int. No. 1248), entitled "An act to consolidate and revise the laws relating to the city of Lockport," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Attention being called to errors in printing Assembly bill (No. 1549, Reprint No. 2546, Int. No. 1272), entitled "An act to amend the Election Law, generally."

Ordered, That the State printer reprint said bill to conform with the amendments of June 23d.

On motion of Mr. A. E. Smith, the House adjourned.

THURSDAY, JUNE 29, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Edward W. Miller.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

A message from the Governor was received and read, in words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *June 28, 1911.*

To the Assembly:

I return herewith, without my approval, Assembly bill (Printed No. 1780), entitled "An act to amend the Prison Law, in relation to the compensation of assistant matrons and guards at the State Prison for Women."

This is one of a series of acts raising the compensation of employees of the State Prison system, the aggregate of which will total, as I am informed, an excess of \$100,000 per annum. If legislation shall be passed providing a sufficient income for the wants of the State, I am in hopes that the compensation of employees may be readjusted in the ensuing year. In the present condition of the State finances I am, however, constrained to disapprove this bill.

JOHN A. DIX.

On motion of Mr. Drummond, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, June 28, 1911.

To the Assembly:

I return herewith, without my approval, Assembly bill (Printed No. 2324, Senate Reprint No. 1808), entitled "An act to amend the Education Law, relative to the kindergarten training and instruction of blind babies and children."

The effect of this bill would be to transfer from the city of New York to the State the expense of caring for dependent blind children now maintained in certain homes for that purpose, and to provide for other substantial changes in the law with reference to the care of blind children by the State.

I am of the opinion that the existing arrangements of the State and of the city for the care of dependent blind children are now satisfactory, and I do not consider the proposed change desirable. I therefore disapprove the bill.

JOHN A. DIX.

On motion of Mr. Merritt, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, June 28, 1911.

To the Assembly:

I return herewith, without my approval, Assembly bill (Printed No. 1738), entitled "An act making an appropriation for certain expenses and deficiencies under the administration of former Attorney-General O'Malley."

This bill appropriates the sum of \$40 000 to pay attorneys and special counsel designated and employed by former Attorney-General O'Malley.

I am opposed to State officers incurring liabilities and seeking to bind the State beyond the amount of money available for a particular purpose. For this reason I disapprove this bill.

JOHN A. DIX.

On motion of Mr. A. E. Smith, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, June 28, 1911.

To the Assembly:

I return herewith, without my approval, Assembly bill (Printed No. 1737), entitled "An act making an appropriation for certain expenses and deficiencies under the administration of former Attorney-General Jackson."

This bill appropriates the sum of \$2,000 to pay claims incurred by former Attorney-General Jackson. These are stale claims and should have been disposed of long ago. I am opposed to making this appropriation, and for that reason I disapprove the bill.

JOHN A. DIX.

On motion of Mr. A. E. Smith, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, June 28, 1911.

To the Assembly:

I return herewith, without my approval, Assembly bill (Printed No. 1698), entitled "An act creating a commission to investigate the prevalence of tuberculosis within the State and to propose remedial legislation in respect thereto, and making an appropriation therefor."

This bill provides for the investigation of the prevalence of tuberculosis, the collection of statistics in respect thereto, and a report to the Legislature, and carries an appropriation of \$10,000. Work of this character is within the duties of the State Commissioner of Health, and I do not approve of the appointment of a commission to undertake the same. I therefore disapprove the bill.

JOHN A. DIX.

On motion of Mr. Goodman, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *June 28, 1911.*

To the Assembly:

I return herewith, without my approval, Assembly bill (Printed No. 2366), entitled "An act to amend the Public Health Law, in relation to beds and ventilation in dormitories of institutions for the care of orphan, vagrant or destitute children or juvenile delinquents."

This bill strikes out the provision that beds in every dormitory in such institution shall be separated by a passageway, and provides for the arrangement and approval of the passageways by local boards of health. I consider that the health of the inmates of institutions of this class, for which the State is responsible, should be safeguarded by State legislation. In no particular should more care be exercised than in the provision of sufficient air space and passageway for each and every bed in such institution. I therefore disapprove the bill.

JOHN A. DIX.

On motion of Mr. McKeon, said message together with said bill was ordered laid upon the table.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Murtaugh (No. 1291, Rec. No. 334), entitled "An act to amend the Highway Law, in relation to the State Commission of Highways," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Merritt gives notice that he requests that the Senate bill introduced by Mr. Coats (No. 1145, Rec. No. 467), entitled "An act to amend the Banking Law, in relation to proceedings against and liquidation of delinquent corporations and individual and private bankers," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Butler gives notice that he requests that the Senate bill introduced by Mr. Hinman (No. 1845, Rec. No. 408), entitled "An

act to legalize a contract between the village of Lestershire, Broome county, New York, and the Binghamton Railway Company," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. J. S. Phillips gives notice that he requests that the Senate bill introduced by Mr. Cobb (No. 1341, Rec. No. 350), entitled "An act to amend the County Law, in relation to providing for the relief of societies for the prevention of cruelty to animals," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Donnelly gives notice that he requests that the Senate bill introduced by Mr. Samner (No. 1260, Rec. No. 422), entitled "An act to amend the Code of Civil Procedure, in relation to the appointment of a chief clerk of the surrogate's court of Kings county, and the compensation of such chief clerk and of the clerks and officers therein," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Oliver gives notice that he requests that the Senate bill introduced by Mr. C. D. Sullivan (No. 2019, Rec. No. 485), entitled "An act to authorize the police commissioner of the city of New York to allow a pension from the New York police department relief fund to William S. Devery," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Shepardson gives notice that he requests that the Senate bill introduced by Mr. Thomas (No. 1487, Rec. No. 375), entitled "An act to amend the Education Law, in relation to authorizing of the New York State School of Agriculture at Morrisville to acquire real estate by condemnation, for the purpose of said school," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. DeLano gives notice that he requests that the Senate bill introduced by Mr. Thomas (No. 1400, Rec. No. 386), entitled "An act to amend the Education Law, in relation to the powers and duties of the board of trustees of the State School of Agriculture at Morrisville," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Colne gives notice that he requests that the Senate bill introduced by Mr. Travis (No. 1588, Rec. No. 439), entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to the arraignment of children," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Mork gives notice that he requests that the Senate bill introduced by Mr. Stilwell (No. 478, Rec. No. 138), entitled "An act to amend the Greater New York charter, in relation to local improvements, giving the local boards power to cause the curbing and recurbing of sidewalks, the construction of gutters, receiving basins and inlets within their respective districts in the city of New York, when the expenses to be incurred do not exceed the sum of two thousand dollars," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Wagner (No. 2064, Rec. No. 488), entitled "An act relating to conservation of land, forests, waters, parks, hydraulic power, fish and game, constituting chapter sixty-five of the Consolidated Laws," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Egan gives notice that he requests that the Senate bill introduced by Mr. Griffin (No. 1360, Rec. No. 456), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Michael O'Keefe against the State of New York for damages alleged to have been sustained

while in the employ of the State," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Patrie gives notice that he requests that the Senate bill introduced by Mr. Fiero (No. 1809, Rec. No. 402), entitled "An act to create a police pension fund for disabled and retired policemen and their widows and orphans in the village of White Plains," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Oliver gives notice that he requests that the Senate bill introduced by Mr. T. D. Sullivan (No. 1262, Rec. No. 382), entitled "An act for the refunding to The National Florence Crittenton Mission, a corporation incorporated by special acts of the Congress of the United States of America, of the amount of the transfer tax paid by the said The National Florence Crittenton Mission upon the legacy it received by the will of Charles N. Crittenton, deceased," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Chanler gives notice that he requests that the Senate bill introduced by Mr. Black (No. 1211, Rec. No. 447), entitled "An act to amend the Code of Criminal Procedure, in relation to the commitment of vagrants to almshouses," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Patrie gives notice that he requests that Assembly bill (No. 2431, Int. No. 1934), entitled "An act making an appropriation for highway improvement in expediting the building of that portion of route number three, of the State highway system, extending through the county of Greene," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Goldberg gives notice that he requests that Assembly bill (No. 261, Int. No. 259), entitled "An act require the giving of transfers by the surface railroads in the boroughs of Manhattan and Bronx, city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Haines gives notice that he requests that Assembly bill (No. 806, Int. No. 736), entitled "An act to amend the Second Class Cities Law, in relation to the grade and salaries of members of the police department," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. M. A. O'Neil gives notice that he requests that the Senate bill introduced by Mr. Cullen (No. 2020, Rec. No. 477), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' generally," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Cosad gives notice that he requests that Assembly bill (No. 2337, Int. No. 1887), entitled "An act to provide for the maintenance by the State of a portion of a highway in the town of Ovid, Seneca county, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Haines gives notice that he requests that Assembly bill (No. 555, Int. No. 538), entitled "An act to amend chapter six hundred and forty-six of the Laws of nineteen hundred and five, entitled 'An act to provide for the construction and maintenance of a sanitary trunk sewer and a sanitary outlet sewer in the county of Westchester and to provide means for the payment therefor,' generally," a copy of which is hereto annexed, be made a special

order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Grady (No. 1332, Rec. No. 404), entitled "An act to amend the State Finance Law, in relation to the deposit of State moneys," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Herrick J J | McDaniels | Shortt |
| Allen | Donnelly | Herrick W R | McElligott | Smith A E |
| Baumes | Donovan | Heyman | McKeon | Smith T K |
| Beach | Drummond | Higgins | Merritt | Stivers |
| Blauvelt | Ebbetts | Hinman | Miller | Sullivan |
| Boylan | Evans | Hoey | Mork | Sweet |
| Brace | Farrell | Hoff | Murray | Talmage |
| Brennan | Fay | Hollmann | Myers | Terry |
| Bridenbecker | Filley | Hoyt | Neupert | Trombly |
| Brooks | Fitzpatrick | Huber | Oliver | Ward |
| Brown | Foley | Jackson | O'Neill J J | Waring |
| Bryant | Fry | Jameson | O'Neil M A | Warren |
| Bush | Geatons | Jones | Pappert | Washburn |
| Butler | Gerhardt | Kennedy | Parker A | Waters R B |
| Carew | Goldberg | Keys | Patrie | Weil |
| Chanler | Goldstein | Lansing | Phillips J S | Wende |
| Cheney | Goodman | LaReau | Pierce | Wheeler |
| Collin | Goodwin | Lent | Saunders | Wilson |
| Colné | Graubard | Levy A J | Schifferdecker | Winters |
| Connell | Hackett | Levy J | Seeley | Yale |
| Constantine | Haines | MacGregor | Shannon | Young |
| Cosad | Hammond | Manley | Sheide | Zorn |
| Cuvillier | Hart | Martin | Shepardson | Speaker |
| Dawson | Hearn | McCue | | |

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Murtaugh (No. 1291, Rec. No. 334), entitled "An act to amend the Highway Law, in relation to the State Commission of Highways."

Also, Senate bill introduced by Mr. Coats (No. 1145, Rec. No. 367), entitled "An act to amend the Banking Law, in relation to proceedings against the liquidation of delinquent corporations and individual and private bankers."

Also, Senate bill introduced by Mr. Hinman (No. 1845, Rec. No. 408), entitled "An act to legalize a contract between the village of Lestershire, Broome county, New York, and the Binghamton Railway Company."

Also, Senate bill introduced by Mr. Cobb (No. 1341, Rec. No. 350), entitled "An act to amend the County Law, in relation to providing for the relief of societies for the prevention of cruelty to animals."

Also, Senate bill introduced by Mr. Sanner (No. 1260, Rec. No. 422), entitled "An act to amend the Code of Civil Procedure, in relation to the appointment of a chief clerk of the surrogate's court of Kings county, and the compensation of such chief clerk and of the clerks and officers therein."

Also, Senate bill introduced by Mr. C. D. Sullivan (No. 2019, Rec. No. 485), entitled "An act to authorize the police commissioner of the city of New York to allow a pension from the New York police department relief fund to William S. Devery."

Also, Senate bill introduced by Mr. Thomas (No. 1487, Rec. No. 385), entitled "An act to amend the Education Law, in relation to authorizing the trustees of the New York State School of Agriculture at Morrisville to acquire real estate by condemnation for the purposes of said school."

Also, Senate bill introduced by Mr. Thomas (No. 1400, Rec. No. 386), entitled "An act to amend the Education Law, in relation to the powers and duties of the board of trustees of the State School of Agriculture at Morrisville."

Also, Senate bill introduced by Mr. Travis (No. 1588, Rec. No. 439), entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to the arraignment of children."

Also, Senate bill introduced by Mr. Stilwell (No. 478, Rec. No. 138), entitled "An act to amend the Greater New York charter, in relation to local improvements, giving the local boards power to cause the curbing and recurbing of sidewalks, the con-

struction of gutters, receiving basins and inlets within their respective districts in the city of New York, when the expenses to be incurred do not exceed the sum of two thousand dollars."

Also, Senate bill introduced by Mr. Wagner (No. 2064, Rec. No. 488), entitled "An act relating to conservation of lands, forests, waters, parks, hydraulic power, fish and game, constituting chapter sixty-five of the Consolidated Laws."

Also, Senate bill introduced by Mr. Griffin (No. 1360, Rec. No. 456), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Michael O'Keefe against the State of New York for damages alleged to have been sustained while in the employ of the State."

Also, Senate bill introduced by Mr. Fiero (No. 1809, Rec. No. 402), entitled "An act to create a police pension fund for disabled and retired policemen and their widows and orphans in the village of White Plains."

Also, Senate bill introduced by Mr. T. D. Sullivan (No. 1262, Rec. No. 382), entitled "An act for the refunding to The National Florence Crittenton Mission, a corporation incorporated by special act of the Congress of the United States of America, of the amount of the transfer tax paid by The National Florence Crittenton Mission upon the legacy it received by the will of Charles N. Crittenton, deceased."

Also, Senate bill introduced by Mr. Black (No. 1211, Rec. No. 447), entitled "An act to amend the Code of Criminal Procedure, in relation to the commitment of vagrants to almshouses."

Also, Senate bill introduced by Mr. Grady (No. 1721, Rec. No. 404), entitled "An act to amend the State Finance Law, in relation to the deposit of State moneys," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Patrie (No. 2431, Int.

No. 1934), entitled "An act making an appropriation for highway improvement in expediting the building of that portion of route number three, of the State highway system, extending through the county of Greene."

Also, Assembly bill introduced by Mr. Goldberg (No. 261, Int. No. 259), entitled "An act to require the giving of transfers by the surface railroads in the boroughs of Manhattan and Bronx, city of New York."

Also, Assembly bill introduced by Mr. Haines (No. 806, Int. No. 736), entitled "An act to amend the Second Class Cities Law, in relation to the grade and salaries of members of the police department."

Also, Assembly bill introduced by Mr. Cosad (No. 2337, Int. No. 1887), entitled "An act to provide for the maintenance by the State of a portion of a highway in the town of Ovid, Seneca county, and making an appropriation therefor," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Haines (No. 555, Int. No. 538), entitled "An act to amend chapter six hundred and forty-six of the Laws of nineteen hundred and five, entitled 'An act to provide for the construction and maintenance of a sanitary trunk sewer and a sanitary outlet sewer in the county of Westchester and to provide means for the payment therefor,' generally," reported in favor of the passage of the same, with the following amendments:

Page 2, line 5, insert after "the", second time occurring, the words "said sewer" in italics.

Line 6, place brackets about the words "under this act".

Page 2, line 6, strike out all italicized words in lines 6, 7, 8, 9 and 10 and insert the following in italics: "and their duly appointed successors, including the sums paid or necessary to pay for lands and easements acquired and obtained in accordance with the provisions of this act, the amounts of temporary certificates

or loans issued or secured by the county of Westchester to pay the interest on bonds issued under the provisions of this act prior to the levy of the first assessment authorized thereunder.”.

Page 2, line 13, place brackets about the word “provided” and insert in italics “approved”.

Page 2, line 14, add the letter “s” to the word “bond” and the letter “s” to the word “amount” in same line.

Page 2, line 17, insert after the word “dollars” and before the period the following, in italics: “, not including but in addition to such sums as may be or may have been received for accrued interest on deposits or premiums on sales of such bonds heretofore made or hereafter to be made”.

Page 2, line 22, after “the” insert in italics “said sewer” and bracket the word “hereunder” and insert thereafter in italics “or their duly appointed successors”.

Page 2, line 26, after “the” insert in italics “said sewer” and bracket the word “hereunder”.

Page 3, line 2, after the word “therefor” in italics insert in italics “and accrued interest received or to be received” and add the letter “s” in italics to the word “payment” in italics on same line.

Page 10, line 14, after the word “indebtedness” insert in italics the following: “except such temporary certificates of indebtedness or loans issued or secured by the county of Westchester to pay said interest prior to the levy of the first assessment authorized hereunder,”.

Page 11, between lines 12 and 13, insert the following:

“§ 2. Section nineteen of said act is hereby amended to read as follows:

“§ 19. At the completion of the sewers and the end of the term of office of the *said sewer* commissioners [hereunder] *and their duly appointed successors*, all books, papers and contracts shall be turned over to the county treasurer of Westchester county and remain on file in his office, and thereafter said sewers so constructed shall be in the control of the board of supervisors of Westchester county, and they shall have power annually to assess the proportionate cost of the maintenance of the said sewers upon real estate within the sewer district in the manner herein prescribed, as to assessing the cost of the sewer itself.”

Page 11, strike out lines 13 to 18, inclusive, and insert the following not in italics:

“§ 3. Nothing contained in this act shall be construed to repeal any statute of the State of New York not inconsistent with the provisions of this act, and the same shall remain in full force and effect when not inconsistent with the provisions of this act, and

shall be construed and enforced in harmony with the provisions of this act."

Page 11, line 19, change the numeral "3" to "4".

and that the same be reprinted, as amended, and when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported, which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Cullen (No. 2020, Rec. No. 477), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' generally," reported the same with the following amendments:

Page 33, between lines 6 and 7, insert

"§ 4. Section one hundred and sixty-five of title four of chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' is hereby amended so as to read as follows:

"§ 165. Exhibition of accounts at instance of adverse party may be ordered; *physical examination in personal injury cases may be ordered.* The court may at the time of pleading or at any other time before the trial, require the plaintiff or defendant to exhibit to the inspection of the adverse party, with liberty to copy the same, any writing or account declared on or set up in the way of offset or counterclaim, or if not so exhibited, may prohibit its afterwards being given in evidence. (In italics.) In any action brought to recover damages for personal injuries or for breach of contract resulting in personal injuries where the defendant shall present to a justice of the court by affidavit evidence that he is ignorant of the nature and extent of the injuries complained of, the justice shall order that the plaintiff submit to a physical examination by a duly licensed physician or surgeon designated by the defendant. If the party to be examined shall

be a female, she shall be entitled to have such examination before a duly licensed physician or surgeon of her own sex, and at such examination the party to be examined shall be entitled to have present a duly licensed physician or surgeon of his or her own selection. The order must require the party to be examined to appear before a justice of the court for the purpose of taking the examination at a time and place therein specified unless the parties or their attorneys agree upon another time and place where the examination shall be held. The order must also direct the time of service of a copy thereof, which must be not more than ten nor less than three days before the time fixed for the examination, unless special circumstances making a different time of service necessary are shown in the affidavit, and that fact is recited in the order. Witness fees at the rate prescribed by law in an action in the municipal court of the city of New York must be paid or tendered when the order is served upon the person required to attend. If the person so served fails to obey the order, the court, upon satisfactory evidence of that fact, shall preclude the party ordered to submit to a physical examination from offering, upon the trial, any evidence in his or her behalf of the nature, extent and effect of the injuries, the subject-matter of the action."

Line 7, strike out 4 and insert 5.

Page 35, line 24, strike out 5 and insert 6.

Page 37, line 8, strike out 6 and insert 7.

Page 37, line 10, strike out 7 and insert 8.

and requests that said bill be reprinted, as amended, and recommitted to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Greater New York charter, in relation to push-cart peddlers and the powers of the board of aldermen and board of estimate and apportionment in respect thereto." (No. 2555, Int. No. 1583.)

"An act to require the giving of transfers by the surface railroads in the boroughs of Manhattan and Bronx, city of New York." (No. 261, Int. No. 259.)

"An act to amend section fifty-five of chapter four hundred and eleven of the Laws of nineteen hundred and seven, entitled

‘An act to amend chapter three of title five of part one of the Code of Criminal Procedure of the State of New York, entitled “The court of general sessions in the city and county of New York.”’ (No. 2557, Rec. No. 396.)

“An act to amend the Military Law, in relation to pay and allowances.” (No. 2552, Int. No. 939.)

“An act to amend the Penal Law, in relation to traction engines and dangerous animals on the highways of cities and villages.” (No. 2554, Int. No. 1918.)

“An act to amend chapter one hundred and sixteen of the Laws of eighteen hundred and ninety-seven, entitled ‘An act to make the office of county clerk of Washington county a salaried office, and regulating the management of said office,’ and the acts amendatory thereof.” (No. 2553, Int. No. 1792.)

“An act providing for the re-establishment of the State library, the furnishing of the Education building, and the temporary equipment and supplies for the State Education Department and making appropriations therefor.” (No. 2556, Int. No. 1573.)

Mr. Speaker announced the special order, being the Senate bill (No. 1291, Rec. No. 334), entitled “An act to amend the Highway Law, in relation to the State Commission of Highways.”

Debate was had thereon.

Mr. Bush in the chair.

Debate was continued.

Mr. Wende in the chair.

Debate was continued.

Mr. Chanler in the chair.

Debate was continued.

Mr. Speaker in the chair.

Debate was continued.

On motion of Mr. A. E. Smith, said bill was temporarily laid aside.

Mr. Speaker announced the special order, being the Senate bill (No. 2064, Rec. No. 488), entitled “An act relating to conservation of land, forests, waters, parks, hydraulic power, fish and game, constituting chapter sixty-five of the Consolidated Laws.”

Debate was had thereon.

Mr. A. E. Smith moved to amend as follows:

Page 2, line 1, change the numeral "468" within the parenthesis to the numeral "467."

Page 2, line 2, change the numeral "492" within the parenthesis to "491".

Page 8, line 3, strike out "a" and insert in place thereof the words "an annual".

Page 12, line 26, after "watershed" and before the period insert "and to create a revenue for the State".

Page 20, line 18, after "purpose" and before the ensuing period insert the following: "; and in that event the references to the Superintendent, in the ensuing provisions of this article, shall be deemed to mean such deputy or subordinate, as the case may be".

Page 22, line 11, strike out "or" at the end of "missioner".

Page 22, line 21, strike out "er" at the end of "Commissioner".

Page 24, line 1, strike out "Commissioner" and insert in place thereof the word and comma "Superintendent".

Page 28, line 2, strike out "two" and insert in place thereof the word "one".

Page 28, line 3, strike out the whole line and insert in place thereof the following: "and fifty-seven, one hundred and fifty-eight and one hundred and fifty-nine of".

Page 32, line 21, change "southwise to" "southwest".

Page 35, line 5, strike out "act" and insert in place thereof the word "article".

Page 37, line 22, after "bidder" and before the ensuing period insert the following: ", but any bid may in the discretion of the Commission be rejected for cause, to be stated by it".

Page 37, line 25, before "provide" insert the following: "revoke such grants for nonuser or when combinations to restrain such use have been entered into by the grantee and to".

Page 39, strike out lines 9 and 10.

Page 39, line 11, change the numeral "464" to "463".

Page 39, line 13, change the numeral "465" to "464".

Page 39, line 14, change the numeral "466" to "465".

Page 39, line 16, change numeral "467" to "466".

Page 39, line 17, change the numeral "468" to "467".

Page 44, line 11, at the end of the line after the period insert the following: "The Commission shall have power to make such minor changes in the said final map, plans and order as the nature of the work may require, provided that such changes shall not add to exceed ten per centum to the cost of executing the

plans embraced in such final order as approved by such act of the Legislature; and provided, further, that if any such minor changes shall add more than ten per centum to the cost of any such improvement, a final order for which has been approved by an act of the Legislature, the Commission shall publish such fact and shall give a hearing thereon as in the first instance with special reference to such increased cost of improvement, and shall await thereafter a further and final approval by subsequent act of the Legislature."

Page 50, line 2, change "upon" to "under".

Page 52, line 5, change "as" to "so".

Page 54, line 19, after "modified" insert "as".

Page 58, strike out lines 23, 24 and 25.

Page 59, strike out lines 1, 2, 3 and 4.

Page 59, line 5, change the numeral "464" to "463".

Page 60, line 8, change the numeral "465" to "464".

Page 60, line 12, after "confirmed" and before the period insert the following: "; but this provision shall not be deemed to dispense with the submission to and approval by the Legislature of specific orders, heretofore made by the State Water Supply Commission, for river improvements, pursuant to any requirement of article two of the State Boards and Commissions Law, nor shall the repeal, by this chapter, of any section of such law be deemed to affect such requirement".

Page 60, line 13, change the numeral "466" to "465".

Page 61, line 2, strike out "him" and insert "it".

Page 61, line 25, change the numeral "467" to "466".

Page 62, line 24, change the numeral "468" to "467".

Page 63, strike out line 24.

Page 75, line 11, after "the" insert "deputy" and after "Attorney-General" insert "assigned to the Department".

Page 76, line 11, after "amount" and before the period insert the following: ", but the issuance of such bonds shall be without liability on the part of the Commission or any Commissioner personally for the payment thereof or of the interest thereon and without liability on the part of the State beyond the proportion of any assessment to be made or certified against the State on account of said improvement."

Page 78, line 11, strike out "sixty-four" and insert in place thereof "sixty-three".

Page 79, strike out lines 1 to 5, inclusive.

Page 84, line 21, strike out "The consent" and strike out lines 22, 23 and 24, and insert in place thereof the following: "no waters of this State shall be diverted without the State".

Page 86, after line 19, insert "1911 420 All".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time, and, on motion of Mr. A. E. Smith, was ordered reprinted and placed on the order of third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it; therefore, in accordance with the provisions of section 15 of article 3 of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill (Int. No. 1182, Printed No. 2064), as amended, entitled "An act relating to conservation of land, forests, waters, parks, hydraulic power, fish and game, constituting chapter sixty-five of the Consolidated Laws."

Given under my hand and the Privy Seal of the State at the Capitol in the city of Albany this twenty-ninth
[L. S.] day of June in the year of our Lord one thousand nine hundred and eleven.

JOHN A. DIX.

By the Governor:

JOHN A. MASON,
Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 9

Those who voted in the affirmative were:

| | | | | |
|----------|-----------|-------------|------------|-----------|
| Adler | Cross | Herrick J J | McDaniels | Seeley |
| Allen | Cuvillier | Herrick W R | McElligott | Shannon |
| Baumes | Day | Heyman | McKeon | Shortt |
| Beach | Donnelly | Higgins | Merritt | Smith A E |
| Blauvelt | Donovan | Hinman | Miller | Stivers |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Boylan | Drummond | Hoey | Mork | Sweet |
| Brace | Ebbetts | Hollmann | Muriay | Terry |
| Brennan | Farrell | Hoyt | Myers | Trombly |
| Brereton | Fay | Huber | Neupert | Ward |
| Bridenbecker | Fillee | Jackson | Nolan | Waring |
| Brooks | Fitzpatrick | Jameson | O'Connor | Warren |
| Bryant | Fry | Kennedy | Oliver | Washburn |
| Bush | Geatons | Keys | O'Neill J J | Waters R B |
| Carew | Gerhardt | Lansing | O'Neil M A | Weil |
| Chanler | Goldberg | LaReau | Pappert | Wende |
| Cheney | Goldstein | Levy A J | Parker A | Wheeler |
| Collin | Graubard | Levy J | Parker J S | Wilson |
| Colné | Hackett | MacGregor | Patrie | Yale |
| Connell | Haines | Manley | Phillips C W | Ycomans |
| Constantine | Hart | Martin | Saunders | Zorn |
| Cosad | Hearn | McCue | Schifferdecker | Speake |

Those who voted in the negative were:

| | | | | |
|--------|--------------|------------|----------|-------|
| Brown | Hammond | Pierce | Sullivan | Young |
| Butler | Phillips J S | Shepardson | Thorn | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 1145, Rec. No. 467), entitled "An act to amend the Banking Law, in relation to proceedings against and liquidation of delinquent corporations and individual and private bankers."

On motion of Mr. Merritt, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|-----------|-------------|----------|-----------|
| Adler | Cuvillier | Hart | Merritt | Smith A E |
| Allen | Day | Herrick J J | Miller | Smith T K |
| Baumes | DeLano | Herrick W R | Mork | Stivers |
| Beach | Donnelly | Heyman | Myers | Sullivan |
| Blauvelt | Donovan | Higgins | Neupert | Sweet |
| Brace | Drummond | Hinman | Nolan | Talmage |
| Brennan | Ebbetts | Hoey | O'Connor | Terry |
| Brereton | Egan | Hoff | Oliver | Thorn |

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Bridenbecker | Evans | Hollmann | O'Neill J J | Trombly |
| Brooks | Farrell | Hoyt | O'Neil M A | Turley |
| Brown | Fay | Jackson | Pappert | Ward |
| Bryant | Filley | Jones | Parker A | Waring |
| Bush | Fitzpatrick | Kennedy | Parker J S | Warren |
| Butler | Foley | Keys | Patrie | Washburn |
| Carew | Friedman | Lansing | Phillips C W | Waters R B |
| Caughlan | Fry | LaReau | Phillips J S | Weil |
| Chanler | Geatons | Lent | Pierce | Wende |
| Cheney | Gerhardt | Levy J | Saunders | Wheeler |
| Coffey | Goldberg | MacGregor | Schifferdecker | Wilson |
| Collin | Goldstein | Manley | Seeley | Winters |
| Colné | Goodwin | Martin | Shannon | Yale |
| Connell | Graubard | McCue | Sheide | Yeomans |
| Constantine | Hackett | McDaniels | Shepardson | Young |
| Cosad | Haines | McElligott | Shlivek | Zorn |
| Cross | Hammond | McKeon | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1845, Rec. No. 408), entitled "An act to legalize a contract between the village of Lestershire, Broome county, New York, and the Binghamton Railway Company."

On motion of Mr. Butler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|-------------|-------------|-----------|
| Adler | Cuvillier | Hart | Merritt | Smith A E |
| Allen | Day | Herrick J J | Miller | Smith T K |
| Baumes | DeLano | Herrick W R | Mork | Stivers |
| Beach | Donnelly | Heyman | Myers | Sullivan |
| Blauvelt | Donovan | Higgins | Neupert | Sweet |
| Brace | Drummond | Hinman | Nolan | Talmage |
| Brennan | Ebbetts | Hoey | O'Connor | Terry |
| Brereton | Egan | Hoff | Oliver | Thorn |
| Bridenbecker | Evans | Hollmann | O'Neill J J | Trombly |
| Brooks | Farrell | Hoyt | O'Neil M A | Turley |
| Brown | Fay | Jackson | Pappert | Ward |
| Bryant | Filley | Jones | Parker A | Waring |

| | | | | |
|-------------|-------------|------------|----------------|------------|
| Bush | Fitzpatrick | Kennedy | Parker J S | Warren |
| Butler | Foley | Keys | Patrie | Washburn |
| Carew | Friedman | Lansing | Phillips C W | Waters R B |
| Caughlan | Fry | LaReau | Phillips J S | Weil |
| Chanler | Geatons | Lent | Pierce | Wende |
| Cheney | Gerhardt | Levy J | Saunders | Wheeler |
| Coffey | Goldberg | MacGregor | Schifferdecker | Wilson |
| Collin | Goldstein | Manley | Seeley | Winters |
| Colné | Goodwin | Martin | Shannon | Yale |
| Connell | Graubard | McCue | Sheide | Yeomans |
| Constantine | Hackett | McDaniels | Shepardson | Young |
| Cosad | Haines | McElligott | Shlivek | Zorn |
| Cross | Hammond | McKeon | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1341, Rec. No. 350), entitled "An act to amend the County Law, in relation to providing for the relief of societies for the prevention of cruelty to animals."

On motion of Mr. J. S. Phillips, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Cuvillier | Hart | Merritt | Smith A E |
| Allen | Day | Herrick J J | Miller | Smith T K |
| Baumes | DeLano | Herrick W R | Mork | Stivers |
| Beach | Donnelly | Heyman | Myers | Sullivan |
| Blauvelt | Donovan | Higgins | Neupert | Sweet |
| Brace | Drummond | Hinman | Nolan | Talmage |
| Brennan | Ebbetts | Hoey | O'Connor | Terry |
| Brereton | Egan | Hoff | Oliver | Thorn |
| Bridenbecker | Evans | Hollmann | O'Neill J J | Trombly |
| Brooks | Farrell | Hoyt | O'Neil M A | Turley |
| Brown | Fay | Jackson | Pappert | Ward |
| Bryant | Filley | Jones | Parker A | Waring |
| Bush | Fitzpatrick | Kennedy | Parker J S | Warren |
| Butler | Foley | Keys | Patrie | Washburn |
| Carew | Friedman | Lansing | Phillips C W | Waters R B |
| Caughlan | Fry | LaReau | Phillips J S | Weil |

| | | | | |
|-------------|-----------|------------|----------------|---------|
| Chanler | Geatons | Lent | Pierce | Wende |
| Cheney | Gerhardt | Levy J | Saunders | Wheeler |
| Coffey | Goldberg | MacGregor | Schifferdecker | Wilson |
| Collin | Goldstein | Manley | Seeley | Winters |
| Colné | Goodwin | Martin | Shannon | Yale |
| Connell | Graubard | McCue | Sheide | Yeomans |
| Constantine | Hackett | McDaniels | Shepardson | Young |
| Cosad | Haines | McElligott | Shlivek | Zorn |
| Cross | Hammond | McKeon | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1260, Rec. No. 422), entitled "An act to amend the Code of Civil Procedure, in relation to the appointment of a chief clerk of the surrogate's court of Kings county, and the compensation of such chief clerk and of the clerks and officers therein."

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 118

NOES 6

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Hart | McKeon | Shortt |
| Allen | Day | Herrick J J | Miller | Smith A E |
| Baumes | DeLano | Herrick W R | Mork | Smith T K |
| Beach | Donnelly | Heyman | Myers | Stivers |
| Blauvelt | Donovan | Higgins | Neupert | Sullivan |
| Brace | Drummond | Hinman | Nolan | Sweet |
| Brennan | Egan | Hoey | O'Connor | Talmage |
| Brereton | Evans | Hoff | Oliver | Terry |
| Bridenbecker | Farrell | Hollmann | O'Neill J J | Thorn |
| Brooks | Fay | Hoyt | O'Neil M A | Trombly |
| Brown | Filley | Jackson | Pappert | Turley |
| Bryant | Fitzpatrick | Jones | Parker A | Ward |
| Bush | Foley | Kennedy | Parker J S | Waring |
| Butler | Friedman | Keys | Patrie | Warren |
| Carew | Fry | Lansing | Phillips C W | Washburn |
| Caughlan | Geatons | LaReau | Pierce | Waters F A |
| Chanler | Gerhardt | Lent | Saunders | Weil |
| Cheney | Goldberg | Levy J | Schifferdecker | Wende |

| | | | | |
|-------------|-----------|------------|------------|---------|
| Coffey | Goldstein | MacGregor | Seeley | Wheeler |
| Collin | Goodwin | Manley | Shannon | Wilson |
| Connell | Graubard | Martin | Sheide | Winters |
| Constantine | Hackett | McCue | Shepardson | Yeomans |
| Cosad | Haines | McDaniels | Shlivek | Zorn |
| Cross | Hammond | McElligott | | |

Those who voted in the negative were:

| | | | | |
|---------|---------|--------------|------|-------|
| Colné | Merritt | Phillips J S | Yale | Young |
| Ebbetts | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2019, Rec. No. 485), entitled "An act to authorize the police commissioner of the city of New York to allow a pension from the New York police department relief fund to William S. Devery."

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 118

NOES 6

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cross | Hammond | McElligott | Shortt |
| Allen | Cuvillier | Hart | McKeon | Smith A E |
| Baumes | Day | Herrick J J | Miller | Smith T K |
| Beach | DeLano | Herrick W R | Myers | Stivers |
| Blauvelt | Donnelly | Heyman | Neupert | Sullivan |
| Brace | Drummond | Hinman | Nolan | Sweet |
| Brennan | Egan | Hoey | O'Connor | Talmage |
| Brereton | Evans | Hoff | Oliver | Terry |
| Bridenbecker | Farrell | Hollmann | O'Neill J J | Thorn |
| Brooks | Fay | Hoyt | O'Neil M A | Trombly |
| Brown | Filley | Jackson | Pappert | Turley |
| Bryant | Fitzpatrick | Jones | Parker A | Ward |
| Bush | Foley | Kennedy | Parker J S | Waring |
| Butler | Friedman | Keys | Patrie | Washburn |
| Carew | Fry | Lansing | Phillips C W | Waters F A |
| Caughlan | Geatons | LaReau | Pierce | Weil |
| Chanler | Gerhardt | Lent | Saunders | Wende |
| Cheney | Goldberg | Levy J | Schifferdecker | Wheeler |

| | | | | |
|-------------|-----------|-----------|------------|---------|
| Coffey | Goldstein | MacGregor | Seeley | Wilson |
| Collin | Goodwin | Manley | Shannon | Winters |
| Connell | Graubard | Martin | Sheide | Yeomans |
| Constantine | Hackett | McCue | Shepardson | Zorn |
| Cosad | Haines | McDaniels | Shlivek | |

Those who voted in the negative were:

| | | | | |
|---------|---------|------|--------------|--------|
| Colné | Higgins | Mork | Phillips J S | Warren |
| Donovan | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1487, Rec. No. 385), entitled "An act to amend the Education Law, in relation to authorizing the trustees of the New York State School of Agriculture at Morrisville to acquire real estate by condemnation for the purposes of said school."

On motion of Mr. Shepardson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES · 124

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Cuvillier | Hart | Merritt | Smith A E |
| Allen | Day | Herrick J J | Miller | Smith T K |
| Baumes | DeLano | Herrick W R | Mork | Stivers |
| Beach | Donnelly | Heyman | Myers | Sullivan |
| Blauvelt | Donovan | Higgins | Neupert | Sweet |
| Brace | Drummond | Hinman | Nolan | Talmage |
| Brennan | Ebbetts | Hoey | O'Connor | Terry |
| Brereton | Egan | Hoff | Oliver | Thorn |
| Bridenbecker | Evans | Hollmann | O'Neill J J | Trombly |
| Brooks | Farrell | Hoyt | O'Neil M A | Turley |
| Brown | Fay | Jackson | Pappert | Ward |
| Bryant | Filley | Jones | Parker A | Waring |
| Bush | Fitzpatrick | Kennedy | Parker J S | Warren |
| Butler | Foley | Keys | Patrie | Washburn |
| Carew | Friedman | Lansing | Phillips C W | Waters R B |
| Caughlan | Fry | LaReau | Parker J S | Weil |
| Chanler | Geatons | Lent | Pierce | Wende |

| | | | | |
|-------------|-----------|------------|----------------|---------|
| Cheney | Gerhardt | Levy J | Saunders | Wheeler |
| Coffey | Goldberg | MacGregor | Schifferdecker | Wilson |
| Collin | Goldstein | Manley | Seeley | Winters |
| Colné | Goodwin | Martin | Shannon | Yale |
| Connell | Graubard | McCue | Sheide | Yeomans |
| Constantine | Hackett | McDaniels | Shepardson | Young |
| Cosad | Haines | McElligott | Shlivek | Zorn |
| Cross | Hammond | McKeon | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1400, Rec. No. 386), entitled "An act to amend the Education Law, in relation to the powers and duties of the board of trustees of the State School of Agriculture at Morrisville."

On motion of Mr. DeLano, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Hart | Merritt | Smith A E |
| Allen | Day | Herrick J J | Miller | Smith T K |
| Baumes | DeLano | Herrick W R | Mork | Stivers |
| Beach | Donnelly | Heyman | Myers | Sullivan |
| Blauvelt | Donovan | Higgins | Neupert | Sweet |
| Brace | Drummond | Hinman | Nolan | Talmage |
| Brennan | Ebbetts | Hoey | O'Connor | Terry |
| Brereton | Egan | Hoff | Oliver | Thorn |
| Bridenbecker | Evans | Hollmann | O'Neill J J | Trombly |
| Brooks | Farrell | Hoyt | O'Neil M A | Turley |
| Brown | Fay | Jackson | Pappert | Ward |
| Bryant | Filley | Jones | Parker A | Waring |
| Bush | Fitzpatrick | Kennedy | Parker J S | Warren |
| Butler | Foley | Keys | Patrie | Washburn |
| Carew | Friedman | Lansing | Phillips C W | Waters R B |
| Caughlan | Fry | LaReau | Phillips J S | Weil |
| Chanler | Geatons | Lent | Pierce | Wende |
| Cheney | Gerhardt | Levy J | Saunders | Wheeler |
| Coffey | Goldberg | MacGregor | Schifferdecker | Wilson |
| Collin | Goldstein | Manley | Seeley | Winters |
| Colné | Goodwin | Martin | Shannon | Yale |

| | | | | |
|-------------|----------|------------|------------|---------|
| Connell | Graubard | McCue | Sheide | Yeomans |
| Constantine | Hackett | McDaniels | Shepardson | Young |
| Cosad | Haines | McElligott | Shlivek | Zorn |
| Cross | Hammond | McKeon | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1588, Rec. No. 439), entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to the arraignment of children."

On motion of Mr. Colne, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Hart | Merritt | Smith A E |
| Allen | Day | Herrick J J | Miller | Smith T K |
| Baumes | DeLano | Herrick W R | Mork | Stivers |
| Beach | Donnelly | Heyman | Myers | Sullivan |
| Blauvelt | Donovan | Higgins | Neupert | Sweet |
| Brace | Drummond | Hinman | Nolan | Talmage |
| Brennan | Ebbetts | Hoey | O'Connor | Terry |
| Brereton | Egan | Hoff | Oliver | Thorn |
| Bridenbecker | Evans | Hollmann | O'Neill J J | Trombly |
| Brooks | Farrell | Hoyt | O'Neil M A | Turley |
| Brown | Fay | Jackson | Pappert | Ward |
| Bryant | Filley | Jones | Parker A | Waring |
| Bush | Fitzpatrick | Kennedy | Parker J S | Warren |
| Butler | Foley | Keys | Patrie | Washburn |
| Carew | Friedman | Lansing | Phillips C W | Waters R B |
| Caughlan | Fry | LaReau | Phillips J S | Weil |
| Chanler | Geatons | Lent | Pierce | Wende |
| Cheney | Gerhardt | Levy J | Saunders | Wheeler |
| Coffey | Goldberg | MacGregor | Schifferdecker | Wilson |
| Collin | Goldstein | Manley | Seeley | Winters |
| Colné | Goodwin | Martin | Shannon | Yale |
| Connell | Graubard | McCue | Sheide | Yeomans |
| Constantine | Hackett | McDaniels | Shepardson | Young |
| Cosad | Haines | McElligott | Shlivek | Zorn |
| Cross | Hammond | McKeon | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 478, Rec. No. 138), entitled "An act to amend the Greater New York charter, in relation to local improvements, giving the local boards power to cause the curbing and recurbing of sidewalks, the construction of gutters, receiving basins and inlets within their respective districts in the city of New York, when the expenses to be incurred do not exceed the sum of two thousand dollars."

On motion of Mr. Mork, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Hart | Merritt | Smith A E |
| Allen | Day | Herrick J J | Miller | Smith T K |
| Baumes | DeLano | Herrick W R | Mork | Stivers |
| Beach | Donnelly | Heyman | Myers | Sullivan |
| Blauvelt | Donovan | Higgins | Neupert | Sweet |
| Brace | Drummond | Hinman | Nolan | Talmage |
| Brennan | Ebbetts | Hoey | O'Connor | Terry |
| Brereton | Egan | Hoff | Oliver | Thorn |
| Bridenbecker | Evans | Hollmann | O'Neill J J | Trombly |
| Brooks | Farrell | Hoyt | O'Neil MA | Turley |
| Brown | Fay | Jackson | Pappert | Ward |
| Bryant | Filley | Jones | Parker A | Waring |
| Bush | Fitzpatrick | Kennedy | Parker J S | Warren |
| Butler | Foley | Keys | Patrie | Washburn |
| Carew | Friedman | Lansing | Phillips C W | Waters R B |
| Caughlan | Fry | LaReau | Phillips J S | Weil |
| Chanler | Geatons | Lent | Pierce | Wende |
| Cheney | Gerhardt | Levy J | Saunders | Wheeler |
| Coffey | Goldberg | MacGregor | Schifferdecker | Wilson |
| Collin | Goldstein | Manley | Seeley | Winters |
| Colné | Goodwin | Martin | Shannon | Yale |
| Connell | Graubard | McCue | Sheide | Yeomans |
| Constantine | Hackett | McDaniels | Shepardson | Young |
| Cosad | Haines | McElligott | Shlivek | Zorn |
| Cross | Hammond | McKeon | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1360, Rec. No. 456), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Michael O'Keefe against the State of New York for damages alleged to have been sustained while in the employ of the State."

On motion of Mr. Egan, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Hart | Merritt | Smith A E |
| Allen | Day | Herrick J J | Miller | Smith T K |
| Baumes | DeLano | Herrick W R | Murray | Stivers |
| Beach | Donnelly | Heyman | Myers | Sullivan |
| Blauvelt | Donovan | Higgins | Neupert | Sweet |
| Brace | Drummond | Hinman | Nolan | Talmage |
| Brennan | Ebbetts | Hoey | O'Connor | Terry |
| Brereton | Egan | Hoff | Oliver | Thorn |
| Bridenbecker | Evans | Hollmann | O'Neill J J | Trombly |
| Brooks | Farrell | Hoyt | O'Neil M A | Turley |
| Brown | Fay | Jackson | Pappert | Ward |
| Bryant | Filley | Jones | Parker A | Waring |
| Bush | Fitzpatrick | Kennedy | Parker J S | Warren |
| Butler | Foley | Keys | Patrie | Washburn |
| Carew | Friedman | Lansing | Phillips C W | Waters R B |
| Caughlan | Fry | LaReau | Phillips J S | Weil |
| Chanler | Geatons | Lent | Pierce | Wende |
| Cheney | Gerhardt | Levy J | Saunders | Wheeler |
| Coffey | Goldberg | MacGregor | Schifferdecker | Wilson |
| Collin | Goldstein | Manley | Seeley | Winters |
| Colné | Goodwin | Martin | Shannon | Yale |
| Connell | Graubard | McCue | Sheide | Yeomans |
| Constantine | Hackett | McDaniels | Shepardson | Young |
| Cosad | Haines | McElligott | Shivek | Zorn |
| Cross | Hammond | McKeon | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1262, Rec. No. 382), entitled "An act for the refunding to The National Florence Crittenton Mission, a corporation incorporated by special act of the Congress of the United States of America, of the amount of the transfer tax paid by the said The National Florence Crittenton Mission upon the legacy it received by the will of Charles N. Crittenton, deceased."

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Hart | Merritt | Smith A E |
| Allen | Day | Herrick J J | Miller | Smith T K |
| Baumes | DeLano | Herrick W R | Murray | Stivers |
| Beach | Donnelly | Heyman | Myers | Sullivan |
| Blauvelt | Donovan | Higgins | Neupert | Sweet |
| Brace | Drummond | Hinman | Nolan | Talmage |
| Brennan | Ebbetts | Hoey . | O'Connor | Terry |
| Brereton | Egan | Hoff | Oliver | Thorn |
| Bridenbecker | Evans | Hollmann | O'Neill J J | Trombly |
| Brooks | Farrell | Hoyt | O'Neil M A | Turley |
| Brown | Fay | Jackson | Pappert | Ward |
| Bryant | Filley | Jones | Parker A | Waring |
| Bush | Fitzpatrick | Kennedy | Parker J S | Warren |
| Butler | Foley | Keys | Patrie | Washburn |
| Carew | Friedman | Lansing | Phillips C W | Waters R B |
| Caughlan | Fry | LaReau | Phillips J S | Weil |
| Chanler | Geatons | Lent | Pierce | Wende |
| Cheney | Gerhardt | Levy J | Saunders | Wheeler |
| Coffey | Goldberg | MacGregor | Schifferdecker | Wilson |
| Collin | Goldstein | Manley | Seeley | Winters |
| Colné | Goodwin | Martin | Shannon | Yale |
| Connell | Graubard | McCue | Sheide | Yeoman's |
| Constantine | Hackett | McDaniels | Shepardson | Young |
| Cosad | Haines | McElligott | Shlivek | Zorn |
| Cross | Hammond | McKeon | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1211, Rec. No. 447), entitled "An act to amend the Code of Criminal Procedure, in relation to the commitment of vagrants to almshouses."

On motion of Mr. Chanler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Hart | Merritt | Smith A E |
| Allen | Day | Herrick J J | Miller | Smith T K |
| Baumes | DeLano | Herrick W R | Murray | Stivers |
| Beach | Donnelly | Heyman | Myers | Sullivan |
| Blauvelt | Donovan | Higgins | Neupert | Sweet |
| Brace | Drummond | Hinman | Nolan | Talmage |
| Brennan | Ebbetts | Hoey | O'Connor | Terry |
| Brereton | Egan | Hoff | Oliver | Thorn |
| Bridenbecker | Evans | Hollmann | O'Neill J J | Trombly |
| Brooks | Farrell | Hoyt | O'Neil M A | Turley |
| Brown | Fay | Jackson | Pappert | Ward |
| Bryant | Filley | Jones | Parker A | Waring |
| Bush | Fitzpatrick | Kennedy | Parker J S | Warren |
| Butler | Foley | Keys | Patrie | Washburn |
| Carew | Friedman | Lansing | Phillips C W | Waters R B |
| Caughlan | Fry | LaReau | Phillips J S | Weil |
| Chanler | Geatons | Lent | Pierce | Wende |
| Cheney | Gerhardt | Levy J | Saunders | Wheeler |
| Coffey | Goldberg | MacGregor | Schifferdecker | Wilson |
| Collin | Goldstein | Manley | Seeley | Winters |
| Colne | Goodwin | Martin | Shannon | Yale |
| Connell | Graubard | McCue | Sheide | Yeomans |
| Constantine | Hackett | McDaniels | Shepardson | Young |
| Cosad | Hearn | McElligott | Shlivek | Zorn |
| Cross | Hammond | McKeon | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1809, Rec. No. 402), entitled "An act to create a police pension fund for disabled and retired policemen and their widows and orphans in the village of White Plains."

On motion of Mr. Patrie, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Hart | Merritt | Smith A E |
| Allen | Day | Herrick J J | Miller | Smith T K |
| Baumes | DeLano | Herrick W R | Murray | Stivers |
| Beach | Donnelly | Heyman | Myers | Sullivan |
| Blauvelt | Donovan | Higgins | Neupert | Sweet |
| Brace | Drummond | Hinman | Nolan | Talmage |
| Brennan | Ebbetts | Hoey | O'Connor | Terry |
| Brereton | Egan | Hoff | Oliver | Thorn |
| Bridenbecker | Evans | Hollmann | O'Neill J J | Trombly |
| Brooks | Farrell | Hoyt | O'Neil M A | Turley |
| Brown | Fay | Jackson | Pappert | Ward |
| Bryant | Fillee | Jones | Parker A | Waring |
| Bush | Fitzpatrick | Kennedy | Parker J S | Warren |
| Butler | Foley | Keys | Patrie | Washburn |
| Carew | Friedman | Lansing | Phillips C W | Waters R B |
| Caughlan | Fry | LaReau | Phillips J S | Weil |
| Chanler | Geatons | Lent | Pierce | Wende |
| Cheney | Gerhardt | Levy J | Saunders | Wheeler |
| Coffey | Goldberg | MacGregor | Schifferdecker | Wilson |
| Collin | Goldstein | Manley | Seeley | Winters |
| Colné | Goodwin | Martin | Shannon | Yale |
| Connell | Graubard | McCue | Sheide | Yeomans |
| Constantine | Hackett | McDaniels | Shepardson | Young |
| Cosad | Hearn | McElligott | Shlivek | Zorn |
| Cross | Hammond | McKeon | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2431, Int. No. 1934), entitled "An act making an appropriation

for highway improvement in expediting the building of that portion of route number three, of the State highway system, extending through the county of Greene."

On motion of Mr. Patrie, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 3

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Allen | Day | Hart | Miller | Smith A E |
| Baumes | DeLano | Herrick J J | Mork | Smith T K |
| Beach | Donnelly | Herrick W R | Myers | Stivers |
| Blauvelt | Donovan | Heyman | Neupert | Sullivan |
| Brace | Drummond | Higgins | Nolan | Sweet |
| Brennan | Ebbetts | Hoey | O'Connor | Talmage |
| Brereton | Egan | Hoff | Oliver | Terry |
| Bridenbecker | Evans | Hollmann | O'Neill J J | Thorn |
| Brooks | Farrell | Hoyt | O'Neil M A | Trombly |
| Brown | Fay | Jackson | Pappert | Turley |
| Bryant | Filley | Jones | Parker A | Ward |
| Bush | Fitzpatrick | Kennedy | Parker J S | Waring |
| Butler | Foley | Keys | Patrie | Warren |
| Carew | Friedman | Lansing | Phillips C W | Washburn |
| Caughlan | Fry | LaReau | Phillips J S | Waters R B |
| Chanler | Geatons | Lent | Pierce | Weil |
| Cheney | Gerhardt | Levy J | Saunders | Wende |
| Coffey | Goldberg | Manley | Schifferdecker | Wheeler |
| Collin | Goldstein | Martin | Seeley | Wilson |
| Colné | Goodwin | McCue | Shannon | Winters |
| Connell | Graubard | McDaniels | Sheide | Yale |
| Constantine | Hackett | McElligott | Shepardson | Yeomans |
| Cosad | Haines | McKeon | Shlivek | Young |
| Cross | Hammond | Merritt | Shortt | Zorn |
| Cuvillier | | | | |

Those who voted in the negative were:

| | | |
|-------|--------|-----------|
| Adler | Hinman | MacGregor |
|-------|--------|-----------|

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 261, Int. No. 259), entitled "An act to require the giving of

transfers by the surface railroads in the boroughs of Manhattan and Bronx, city of New York."

On motion of Mr. Goldberg, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 3

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cross | Haines | Miller | Smith T K |
| Allen | Cuvillier | Hart | Mork | Stivers |
| Baumes | Day | Herrick J J | Myers | Sullivan |
| Beach | DeLano | Herrick W R | Neupert | Sweet |
| Blauvelt | Donnelly | Heyman | Nolan | Talmage |
| Brace | Donovan | Higgins | O'Connor | Terry |
| Brennan | Drummond | Hoey | Oliver | Thorn |
| Brereton | Ebbetts | Hoff | O'Neill J J | Trombly |
| Bridenbecker | Egan | Hollmann | O'Neil M A | Turley |
| Brooks | Evans | Hoyt | Pappert | Ward |
| Brown | Farrell | Jackson | Parker A | Waring |
| Bryant | Fay | Jones | Parker J S | Warren |
| Bush | Filley | Kennedy | Patrie | Washburn |
| Butler | Fitzpatrick | Keys | Phillips C W | Waters R B |
| Carew | Foley | Lansing | Pierce | Weil |
| Caughlan | Friedman | LaReau | Saunders | Wende |
| Chanler | Fry | Lent | Schifferdecker | Wheeler |
| Cheney | Geatons | Levy J | Seeley | Wilson |
| Coffey | Gerhardt | Manley | Shannon | Winters |
| Collin | Goldberg | Martin | Sheide | Yale |
| Colné | Goldstein | McCue | Shepardson | Yeomans |
| Connell | Goodwin | McDaniels | Shlivek | Young |
| Constantine | Graubard | McElligott | Shortt | Zorn |
| Cosad | Hackett | McKeon | Smith A E | |

Those who voted in the negative were:

| | | |
|---------|---------|--------------|
| Hammond | Merritt | Phillips J S |
|---------|---------|--------------|

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 806, Rec. No. 736), entitled "An act to amend the Second Class Cities Law, in relation to the grade and salaries of members of the police department."

On motion of Mr. Haines, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Hart | Merritt | Smith A E |
| Allen | Day | Herrick J J | Miller | Smith T K. |
| Baumes | DeLano | Herrick W R | Myers | Stivers |
| Beach | Donnelly | Heyman | Neupert | Sullivan |
| Blauvelt | Donovan | Higgins | Nolan | Sweet |
| Brace | Drummond | Hinman | O'Connor | Talmage |
| Brennan | Ebbetts | Hoey | Oliver | Terry |
| Breton | Egan | Hoff | O'Neill J J | Thorn |
| Bridenbecker | Evans | Hollmann | O'Neil M A | Trombly |
| Brooks | Farrell | Hoyt | Pappert | Turley |
| Brown | Fay | Jackson | Parker A | Ward |
| Bryant | Filley | Jones | Parker J S | Waring |
| Bush | Fitzpatrick | Kennedy | Patrie | Warren |
| Butler | Foley | Keys | Phillips C W | Washburn |
| Carew | Friedman | Lansing | Phillips J S | Waters R B |
| Caughlan | Fry | LaReau | Pierce | Weil |
| Chanler | Geatons | Lent | Saunders | Wende |
| Cheney | Gerhardt | Levy J | Schifferdecker | Wheeler |
| Coffey | Goldberg | MacGregor | Seeley | Wilson |
| Collin | Goldstein | Manley | Shannon | Winters |
| Colné | Goodwin | Martin | Sheide | Yale |
| Connell | Graubard | McCue | Shepardson | Yeomans |
| Constantine | Hackett | McDaniels | Shlivek | Young |
| Cosad | Haines | McElligott | Shortt | Zorn |
| Cross | Hammond | McKeon | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2337, Int. No. 1887), entitled "An act to provide for the maintenance by the State of a portion of a highway in the town of Ovid, Seneca county, and making an appropriation therefor."

On motion of Mr. Cosad, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed

and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Hart | McKeon | Smith A E |
| Allen | Day | Herrick J J | Merritt | Smith T K |
| Baumes | DeLano | Herrick W R | Miller | Stivers |
| Beach | Donnelly | Heyman | Myers | Sullivan |
| Blauvelt | Donovan | Higgins | Neupert | Sweet |
| Brace | Drummond | Hinman | Nolan | Talmage |
| Brennan | Ebbetts | Hoey | O'Connor | Terry |
| Brereton | Egan | Hoff | Oliver | Thorn |
| Bridenbecker | Evans | Hollmann | O'Neill J J | Trombly |
| Brooks | Farrell | Hoyt | O'Neil M A | Turley |
| Brown | Fay | Jackson | Pappert | Ward |
| Bryant | Filley | Jones | Parker A | Waring |
| Bush | Fitzpatrick | Kennedy | Parker J S | Warren |
| Butler | Foley | Keys | Patrie | Washburn |
| Carew | Friedman | Lansing | Phillips C W | Waters R B |
| Caughlan | Fry | LaReau | Phillips J S | Weil |
| Chanler | Geatons | Lent | Pierce | Wende |
| Cheney | Gerhardt | Levy J | Saunders | Wheeler |
| Coffey | Goldberg | Lincoln | Schifferdecker | Wilson |
| Collin | Goldstein | MacGregor | Seeley | Winters |
| Colné | Goodwin | Manley | Shannon | Yale |
| Cornell | Graubard | Martin | Sheide | Yeomans |
| Constantine | Hackett | McCue | Shepardson | Young |
| Cosad | Haines | McDaniels | Shlivek | Zorn |
| Cross | Hammond | McElligott | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2547, Int. No. 1325), entitled "An act to repeal chapter seven hundred and sixty-five of the Laws of nineteen hundred, entitled 'An act providing for the opening, laying out and improving of Remsen avenue, in the borough of Brooklyn, in the city of New York.' "

On motion of Mr. Goldstein, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Hart | Merritt | Smith A E |
| Allen | Dây | Herrick J J | Miller | Smith T K |
| Baumes | DeLano | Herrick W R | Mork | Stivers |
| Beach | Donnelly | Heyman | Myers | Sullivan |
| Blauvelt | Donovan | Higgins | Neupert | Sweet |
| Brace | Drummond | Hinman | Nolan | Talmage |
| Brennan | Ebbetts | Hoey | O'Connor | Terry |
| Brereton | Egan | Hoff | Oliver | Thorn |
| Bridenbecker | Evans | Hollmann | O'Neill J J | Trombly |
| Brooks | Farrell | Hoyt | O'Neill M A | Turley |
| Brown | Fay | Jackson | Pappert | Ward |
| Bryant | Filley | Jones | Parker A | Waring |
| Bush | Fitzpatrick | Kennedy | Parker J S | Warren |
| Butler | Foley | Keys | Patrie | Washburn |
| Carew | Friedman | Lansing | Phillips C W | Waters R B |
| Caughlan | Fry | LaReau | Phillips J S | Weil |
| Chanler | Geatons | Lent | Pierce | Wende |
| Cheney | Gerhardt | Levy J | Saunders | Wheeler |
| Coffey | Goldberg | MacGregor | Schifferdecker | Wilson |
| Collin | Goldstein | Manley | Seeley | Winters |
| Colné | Goodwin | Martin | Shannon | Yale |
| Connell | Graubard | McCue | Sheide | Yeomans |
| Constantine | Hackett | McDaniels | Shepardson | Young |
| Cosad | Haines | McElligott | Shlivek | Zorn |
| Cross | Hammond | McKeon | Shortt | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order being the bill (No. (2548, Int. No. 1895), entitled "An act modifying the powers of the Commission in Lunacy, boards of managers and officers of the State hospitals."

On motion of Mr. A. J. Levy, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were: .

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Hart | Merritt | Smith A E |
| Allen | Day | Herrick J J | Miller | Smith T K |
| Baumes | DeLano | Herrick W R | Mork | Stivers |
| Beach | Donnelly | Heyman | Myers | Sullivan |
| Blauvelt | Donovan | Higgins | Neupert | Sweet |
| Brace | Drummond | Hinman | Nolan | Talmage |
| Brennan | Ebbetts | Hoey | O'Connor | Terry |
| Brereton | Egan | Hoff | Oliver | Thorn |
| Bridenbecker | Evans | Hollmann | O'Neill J J | Trombly |
| Brooks | Farrell | Hoyt | O'Neil M A | Turley |
| Brown | Fay | Jackson | Pappert | Ward |
| Bryant | Filley | Jones | Parker A | Waring |
| Bush | Fitzpatrick | Kennedy | Parker J S | Warren |
| Butler | Foley | Keys | Patrie | Washburn |
| Carew | Friedman | Lansing | Phillips C W | Waters R B |
| Caughlan | Fry | LaReau | Phillips J S | Weil |
| Chanler | Geatons | Lent | Pierce | Wende |
| Cheney | Gerhardt | Levy J | Saunders | Wheeler |
| Coffey | Goldberg | MacGregor | Schifferdecker | Wilson |
| Collin | Goldstein | Manley | Seeley | Winters |
| Colné | Goodwin | Martin | Shannon | Yale |
| Connell | Graubard | McCue | Sheide | Yeomans |
| Constantine | Hackett | McDaniels | Shepardson | Young |
| Cosad | Haines | McElligott | Shlivek | Zorn |
| Cross | Hammond | McKeon | Shortt | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1430, Rec. No. 291), entitled "An act to amend chapter twenty-four of the Laws of nineteen hundred and nine, entitled 'An act relating to the protection of the forests, fish and game of the State, constituting chapter nineteen of the Consolidated Laws.'"

On motion of Mr. Patrie, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Hart | Merritt | Smith A E |
| Allen | Day | Herrick J J | Miller | Smith T K |
| Baumes | DeLano | Herrick W R | Mork | Stivers |
| Beach | Donnelly | Heyman | Myers | Sullivan |
| Blauvelt | Donovan | Higgins | Neupert | Sweet |
| Brace | Drummond | Hinman | Nolan | Talmage |
| Brennan | Ebbetts | Hoey | O'Connor | Terry |
| Brereton | Egan | Hoff | Oliver | Thorn |
| Bridenbecker | Evans | Hollmann | O'Neill J J | Trombly |
| Brooks | Farrell | Hoyt | O'Neil M A | Turley |
| Brown | Fay | Jackson | Pappert | Ward |
| Bryant | Filley | Jones | Parker A | Waring |
| Bush | Fitzpatrick | Kennedy | Parker J S | Warren |
| Butler | Foley | Keys | Patrie | Washburn |
| Carew | Friedman | Lansing | Phillips C W | Waters R B |
| Caughlan | Fry | LaReau | Phillips J S | Weil |
| Chanler | Geatons | Lent | Pierce | Wende |
| Cheney | Gerhardt | Levy J | Saunders | Wheeler |
| Coffey | Goldberg | MacGregor | Schifferdecker | Wilson |
| Collin | Goldstein | Manley | Seeley | Winters |
| Colné | Goodwin | Martin | Shannon | Yale |
| Collin | Graubard | McCue | Sheide | Yeomans |
| Constantine | Hackett | McDaniels | Shepardson | Young |
| Cosad | Haines | McElligott | Shlivek | Zorn |
| Cross | Hammond | McKeon | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1351, Rec. No. 255), entitled "An act to amend the Forest, Fish and Game Law, in relation to taking quail in Dutchess, Westchester, Putnam, Rockland and Ulster counties."

Said bill having been announced,

Mr. Yale moved to amend as follows:

On page 2, line 4, after the word "Westchester" strike out " , " and insert "[" .

After the word "Putnam" in same line insert "] " .

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the special order of second and third reading.

Mr. Speaker announced the special order, being the Senate bill (No. 737, Rec. No. 82), entitled "An act to amend chapter three

hundred and sixty-nine of the Laws of eighteen hundred and ninety-five, entitled 'An act creating a commissioner of jurors for each county of the State, having a certain population, and regulating and prescribing his duties; also providing in what manner jury lists shall be made up and jurors drawn and notified in the courts of record in such counties, and how they may be exempted or excused, and the length of service of such jurors generally,' in relation to the deposit of names in the jury box and the qualification of jurors."

Said bill having been announced,

Debate was had thereon.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 76

NOES 34

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Beach | Evans | Hearn | McCue | Saunders |
| Blauvelt | Farrell | Herrick J J | McDaniels | Schiffedercker |
| Boylan | Fay | Heyman | McElligott | Seeley |
| Brace | Fitzpatrick | Hoey | McKeon | Sheide |
| Brennan | Foley | Hollmann | Miller | Shortt |
| Bridenbecker | Fry | Hoyt | Mork | Smith A E |
| Bush | Geatons | Huber | Myers | Terry |
| Carew | Gerhardt | Jackson | Neupert | Trombly |
| Chanler | Gerken | Jameson | O'Connor | Walker |
| Collin | Gillen | Kennedy | Oliver | Warren |
| Cosad | Goldberg | LaReau | O'Neill J J | Washburn |
| Cuvillier | Goldstein | Levy A J | O'Neil M A | Weil |
| Day | Gould | Levy J | Pappert | Wende |
| Donnelly | Graubard | Manley | Parker A | Wheeler |
| Donovan | Hackett | Martin | Patrie | Zorn |
| Drummond | | | | |

Those who voted in the negative were:

| | | | | |
|-------------|---------|------------|--------------|------------|
| Adler | Cross | Hinman | Phillips C W | Waring |
| Baumes | Filley | Keys | Phillips J S | Waters R B |
| Brereton | Goodman | Lent | Pierce | Wilson |
| Bryant | Haines | MacGregor | Shepardson | Yale |
| Cheney | Hammond | Merritt | Stivers | Yeomans |
| Colné | Hart | Nolan | Sullivan | Young |
| Constantine | Higgins | Parker J S | Thorn | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 2543, Int. No. 1123) entitled "An act to amend the Liquor Tax Law, in relation to obstruction in windows," having been announced.

Debate was had thereon.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 60

NOES 50

Those who voted in the affirmative were:

| | | | | |
|-------------|-----------|-------------|-------------|----------------|
| Boylan | Foley | Hackett | Manley | Pappert |
| Brennan | Friedman | Hearn | Martin | Parker A |
| Brooks | Fry | Herrick J J | McCue | Schifferdecker |
| Carew | Geatons | Herrick W R | McElligott | Sheide |
| Constantine | Gerhardt | Heyman | McKeon | Smith A E |
| Cosad | Gerken | Hoey | Mork | Spielberg |
| Cuvillier | Gillen | Hollmann | Myers | Terry |
| Donnelly | Goldberg | Jackson | Neupert | Walker |
| Donovan | Goldstein | Jameson | O'Connor | Warren |
| Farrell | Goodman | Kennedy | Oliver | Weil |
| Fay | Gould | Levy A J | O'Neill J J | Wende |
| Fitzpatrick | Graubard | Levy J | O'Neil M A | Zorn |

Those who voted in the negative were:

| | | | | |
|--------------|----------|------------|--------------|------------|
| Adler | Chanler | Hoyt | Patrie | Sullivan |
| Baumes | Cheney | Huber | Phillips C W | Thorn |
| Beach | Collin | Keys | Phillips J S | Ward |
| Blauvelt | Colné | Lansing | Pierce | Waring |
| Brace | Cross | LaReau | Saunders | Waters R B |
| Brereton | Drummond | MacGregor | Seeley | Wheeler |
| Bridenbecker | Filley | McDaniels | Shannon | Wilson |
| Brown | Hart | Merritt | Shepardson | Yale |
| Bryant | Hammond | Miller | Shortt | Yeomans |
| Bush | Hoff | Parker J S | Stivers | Young |

Mr. McCue moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 1721, Rec. No. 404), entitled "An act to amend the State Finance Law, in relation to the deposit of State moneys."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Hart | Merritt | Smith A E |
| A'len | Day | Herrick J J | Miller | Smith T K |
| Baumes | DeLano | Herrick W R | Mork | Stivers |
| Beach | Donnelly | Heyman | Myers | Sullivan |
| Blauvelt | Donovan | Higgins | Neupert | Sweet |
| Brace | Drummond | Hinman | Nolan | Talmage |
| Brennan | Ebbetts | Hoey | O'Connor | Terry |
| Brereton | Egan | Hoff | Oliver | Thorn |
| Bridenbecker | Evans | Hollmann | O'Neill J J | Trombly |
| Brooks | Farrell | Hoyt | O'Neil M A | Turley |
| Brown | Fay | Jackson | Pappert | Ward |
| Bryant | Filley | Jones | Parker A | Waring |
| Bush | Fitzpatrick | Kennedy | Parker J S | Warren |
| Butler | Foley | Keys | Patrie | Washburn |
| Carew | Friedman | Lansing | Phillips C W | Waters R B |
| Caughlan | Fry | LaReau | Phillips J S | Weil |
| Chanler | Geatons | Lent | Pierce | Wende |
| Cheney | Gerhardt | Levy J | Saunders | Wheeler |
| Coffey | Goldberg | MacGregor | Schifferdecker | Wilson |
| Collin | Goldstein | Manley | Seeley | Winters |
| Colné | Goodwin | Martin | Shannon | Yale |
| Connell | Graubard | McCue | Sheide | Yeomans |
| Constantine | Hackett | McDaniels | Shepardson | Young |
| Cosad | Haines | McElligott | Shlivek | Zorn |
| Cross | Hammond | McKeon | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *June 29, 1911.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2422, Int. No. 1248), entitled "An act to consolidate and revise the laws relating to the city of Lockport."

JOHN A. DIX.

Said bill having been announced,

Mr. Hoey moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Herrick J J | Merritt | Shortt |
| Allen | DeLano | Herrick W R | Miller | Smith A E |
| Baumes | Donnelly | Heyman | Mork | Smith T K |
| Beach | Donovan | Higgins | Murray | Stivers |
| Blauvelt | Drummond | Hinman | Myers | Sullivan |
| Brace | Ebbetts | Hoey | Neupert | Sweet |
| Brennan | Egan | Hoff | Nolan | Talmage |
| Brereton | Evans | Hollmann | O'Connor | Terry |
| Bridenbecker | Farrell | Hoyt | Oliver | Thorn |
| Brooks | Fay | Jackson | O'Neill J J | Trombly |
| Brown | Filley | Jones | O'Neil M A | Turley |
| Bryant | Fitzpatrick | Kennedy | Pappert | Ward |
| Bush | Foley | Keys | Parker A | Waring |
| Butler | Friedman | Lansing | Parker J S | Warren |
| Carew | Fry | LaReau | Patrie | Washburn |
| Caughlan | Geatons | Lent | Phillips C W | Waters R B |
| Chanler | Gerhardt | Levy A J | Phillips J S | Weil |
| Cheney | Goldberg | Levy J | Pierce | Wende |
| Coffey | Goldstein | MacGregor | Saunders | Wheeler |
| Collin | Goodwin | Manley | Schifferdecker | Wilson |
| Colné | Graubard | Martin | Seeley | Winters |
| Connell | Hackett | McCue | Shannon | Yale |
| Constantine | Haines | McDaniels | Sheide | Yeomans |
| Cosad | Hammond | McElligott | Shepardson | Young |
| Cross | Hart | McKeon | Shlivek | Zorn |
| Cuvillier | Hearn | | | |

Mr. Hoey moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith, amended as follows:

Page 13, strike out lines 17, 18, 19, 20, 21, 22 and so much of line 23 as precedes the word "One" and insert in italics in place thereof the following: "Not more than two of the police commissioners shall be members of the same political party."

Page 15, line 6, strike out "June" and insert in italics in place thereof the word "July".

Page 72, strike out all of the italicized matter.

Page 73, strike out all of line 1 and so much of line 2 as precedes the word "action" and insert before "action" in italics the words "No civil".

Page 73, line 13, strike out "thirty" and insert in italics the word "sixty".

Page 73, line 23, strike out "thirty" and insert in italics the word "sixty".

Page 74, line 1, strike out "forty days" and insert in italics in place thereof the words "three months".

Page 74, line 6, insert after "defect," in italics the following: "Nothing contained in this section shall be held to repeal or modify any existing requirement or Statute of Limitations which is applicable to this class of actions, but on the contrary shall be held to be an additional requirement for the right to maintain such action."

Page 240, strike out lines 23, 24, 25 and 26.

Page 241, strike out lines 1 and 2.

Page 241, line 3, change the numeral "12" to "11".

Page 241, line 4, change the numeral "13" to "12".

Page 241, line 6, change the numeral "14" to "13".

Page 241, line 8, change the numeral "15" to "14".

Page 271, line 14, strike out "508" and insert in place thereof "557".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Foley, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 963, Int. No. 872), entitled "An act to direct the comptroller of the city of New York to cancel certain assessments on real property for the improvement of Grand street, in the borough of Brooklyn, from Hooper street to Bridge plaza, and to provide for the refunding of such assessments heretofore paid," with a message

that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

Said bill having been announced,

Mr. Donnelly moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Herrick J J | Merritt | Shortt |
| Allen | DeLano | Herrick W R | Miller | Smith A E |
| Baumes | Donnelly | Heyman | Mork | Smith T K |
| Beach | Donovan | Higgins | Murray | Stivers |
| Blauvelt | Drummond | Hinman | Myers | Sullivan |
| Brace | Ebbetts | Hoeey | Neupert | Sweet |
| Brennan | Egan | Hoff | Nolan | Talmage |
| Biereton | Evans | Hollmann | O'Connor | Terry |
| Bridenbecker | Farrell | Hoyt | Oliver | Thorn |
| Brooks | Fay | Jackson | O'Neill J J | Trombly |
| Brown | Filley | Jones | O'Neil M A | Turley |
| Bryant | Fitzpatrick | Kennedy | Pappert | Ward |
| Bush | Foley | Keys | Parker A | Waring |
| Butler | Friedman | Lansing | Parker J S | Warren |
| Carew | Fry | LaReau | Patrie | Washburn |
| Caughlan | Geatons | Lent | Phillips C W | Waters R B |
| Chanler | Gerhardt | Levy A J | Phillips J S | Weil |
| Cheney | Goldberg | Levy J | Pierce | Wende |
| Coffey | Goldstein | MacGregor | Saunders | Wheeler |
| Collin | Goodwin | Manley | Schifferdecker | Wilson |
| Colné | Graubard | Martin | Seeley | Winters |
| Connell | Hackett | McCue | Shannon | Yale |
| Constantine | Haines | McDaniels | Sheide | Yeomans |
| Cosad | Hammond | McElligott | Shepardson | Young |
| Cross | Hart | McKeon | Shlivek | Zorn |
| Cuvillier | Hearn | | | |

Mr. Donnelly moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith, amended as follows:

Strike out word "direct" in line 1 of caption of act and insert thereof the word "authorize" in italics.

Page 1, line 1, strike out all after word "York" down to word "annul" exclusive on line 2 of page 1 and insert thereof the following in italics: "is hereby authorized and empowered in his discretion to cancel".

Page 2, line 8, insert a comma “,” after the word “shall” and insert the following in italics: “in case of such cancellation and annulment”.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Foley, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *June 22, 1911.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2222, Int. No. 1793), entitled “An act to amend chapter six hundred and eighty-five of the Laws of nineteen hundred and five, entitled ‘An act to supplement the provisions of law relating to the department of public safety of the city of Syracuse.’”

JOHN A. DIX.

Said bill having been announced,

Mr. Hammond moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|-------------|-------------|-----------|
| Adler | Day | Herrick J J | Merritt | Shortt |
| Allen | DeLano | Herrick W R | Miller | Smith A E |
| Baumes | Donnelly | Heyman | Mork | Smith T K |
| Beach | Donovan | Higgins | Murray | Stivers |
| Blauvelt | Drummond | Hinman | Myers | Sullivan |
| Brace | Ebbetts | Hoey | Neupert | Sweet |
| Brennan | Egan | Hoff | Nolan | Talmage |
| Brereton | Evans | Hollmann | O'Connor | Terry |
| Bridenbecker | Farrell | Hoyt | Oliver | Thorn |
| Brooks | Fay | Jackson | O'Neill J J | Trombly |
| Brown | Filey | Jones | O'Neil M A | Turley |

| | | | | |
|-------------|-------------|------------|----------------|------------|
| Bryant | Fitzpatrick | Kennedy | Pappert | Ward |
| Bush | Foley | Keys | Parker A | Waring |
| Butler | Friedman | Lansing | Parker J S | Warren |
| Carew | Fry | LaReau | Patrie | Washburn |
| Caughlan | Geatons | Lent | Phillips C W | Waters R B |
| Chanler | Gerhardt | Levy A J | Phillips J S | Weil |
| Cheney | Goldberg | Levy J | Pierce | Wende |
| Coffey | Goldstein | MacGregor | Saunders | Wheeler |
| Collin | Goodwin | Manley | Schifferdecker | Wilson |
| Colné | Graubard | Martin | Seeley | Winters |
| Connell | Hackett | McCue | Shannon | Yale |
| Constantine | Haines | McDaniels | Sheide | Yeomans |
| Cosad | Hammond | McElligott | Shepardson | Young |
| Cross | Hart | McKeon | Shlivek | Zorn |
| Cuvillier | Hearn | | | |

Mr. Hammond moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith, amended as follows:

Page 2, lines 17 and 18, strike out the words "or which have occurred within a period of five years" in italics and insert in the place thereof the following in italics: "nor shall he be charged in an examination, with delinquencies which shall have occurred more than five years prior thereto".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Foley, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

At 7 o'clock P. M., on motion of Mr. A. E. Smith, the House took a recess until 8:30 o'clock P. M.

EIGHT O'CLOCK AND THIRTY MINUTES P. M.

The House again convened.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

| | | | | |
|----------|----------|-------------|---------|------------|
| Adler | Day | Hammond | McGrath | Sheide |
| Allen | Donnelly | Hearn | McKeon | Shepardson |
| Baumes | Donovan | Herrick J J | Merritt | Shortt |
| Beach | Drummond | Heyman | Miller | Smith A E |
| Blauvelt | Evans | Higgins | Mork | Spielberg |

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Boylan | Farrell | Hoey | Murray | Stivers |
| Brace | Fay | Hoff | Myers | Sweet |
| Brennan | Filley | Hollmann | Neupert | Terry |
| Brereton | Fitzpatrick | Hoyt | Nolan | Thorn |
| Bridenbecker | Foley | Huber | O'Connor | Trombly |
| Brown | Friedman | Jackson | Oliver | Walker |
| Bryant | Fry | Jameson | O'Neill J J | Ward |
| Bush | Geatons | Jones | O'Neil MA | Waring |
| Butler | Gerhardt | Kennedy | Pappert | Warren |
| Carew | Gerken | Keys | Parker A | Washburn |
| Caughlan | Gillen | LaReau | Parker J S | Waters R B |
| Chanler | Goldberg | Levy A J | Patrie | Weil |
| Collin | Goldstein | Levy J | Phillips C W | Wende |
| Colné | Goodman | MacGregor | Phillips J S | Wheeler |
| Constantine | Goodwin | Manley | Pierce | Wilson |
| Cosad | Gould | Martin | Saunders | Winters |
| Cross | Graubard | McCue | Schifferdecker | Young |
| Cuvillier | Hackett | McDaniels | Seeley | Zorn |
| Dawson | Haines | McElligott | Shannon | Speaker |

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

ALBANY, June 29, 1911.

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 1711), entitled "An act to amend the Village Law, in relation to granting authority to the trustees of the village of Greene to provide free musical entertainments and making appropriations therefor."

I have to-day approved a general bill amending the General Village Law, providing for free band concerts in villages of the third class. The general law provides that a village of the third class may have free public band concerts within the village annually between certain dates, but only after a proposition to that effect has been submitted to the electors of the village and the amount fixed which should be expended. The bill disapproved relates to village of Greene in the county of Chenango, which is a village of the third class and which is absolutely taken care of by this general legislation.

I therefore disapprove the bill.

JOHN A. DIX.

On motion of Mr. Shepardson, said message together with said bill was ordered laid upon the table.

The Senate sent for concurrence the following entitled bills:

"An act to amend the Labor Law, in relation to the Department of Labor, and the creation therein of a bureau of public employment" (No. 1282, Rec. No. 489), which was read the first time and referred to the committee on labor and industries.

"An act making appropriations for certain immediate expenses of the Legislature, and providing for deficiencies in former appropriations thereof" (No. 2086, Rec. No. 490), which was read the first time and referred to the committee on ways and means.

By unanimous consent, Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on ways and means be discharged from the further consideration of the Senate bill (No. 2086, Rec. No. 490), entitled "An act making appropriations for certain immediate expenses of the Legislature, and providing for deficiencies in former appropriations thereof."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|-------------|-----------|
| Adler | DeLano | Hammond | McGrath | Shlivek |
| Allen | Donnelly | Hart | McKeon | Shortt |
| Baumes | Donovan | Hearn | Merritt | Smith A E |
| Beach | Drummond | Herrick J J | Miller | Spielberg |
| Blauvelt | Ebbetts | Herrick W R | Moneczynski | Stivers |
| Boylan | Egan | Heyman | Mork | Sullivan |
| Brace | Evans | Higgins | Murray | Sweet |

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Brennan | Farrell | Hinman | Myers | Talmage |
| Brereton | Fay | Hoey | Neupert | Terry |
| Bridenbecker | Filley | Hollmann | Nolan | Thorn |
| Brooks | Fitzpatrick | Hoyt | O'Connor | Trombly |
| Brown | Foley | Huber | Oliver | Turley |
| Bryant | Friedman | Jackson | O'Neill J J | Walker |
| Bush | Fry | Jameson | O'Neil M A | Ward |
| Butler | Geatons | Jones | Pappert | Waring |
| Carew | Gerhardt | Kennedy | Parker A | Warren |
| Caughlan | Gerken | Keys | Parker J S | Washburn |
| Chanler | Gillen | Lansing | Patrie | Waters R B |
| Cheney | Goldberg | LaReau | Phillips C W | Weil |
| Collin | Goldstein | Lent | Phillips J S | Wende |
| Colné | Goodman | Levy A J | Pierce | Wheeler |
| Connell | Goodwin | Levy J | Saunders | Wilson |
| Constantine | Gould | MacGregor | Schifferdecker | Winters |
| Cosad | Graubard | Manley | Seeley | Yale |
| Cross | Gregg | Martin | Shannon | Yeomans |
| Cuvillier | Gurnett | McCue | Shea | Young |
| Dawson | Hackett | McDaniels | Sheide | Zorn |
| Day | Haines | McElligott | Shepardson | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bill:

"An act to amend the Legislative Law, in relation to time of payment of salaries to members of the Legislature" (No. 2069, Rec. No. 491), which was read the first time and referred to the committee on ways and means.

By unanimous consent, Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on ways and means be discharged from the further consideration of the Senate bill (No. 2069, Rec. No. 491), entitled "An act to amend the Legislative Law, in relation to time of payment of salaries to members of the Legislature."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the af-

firmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Herrick J J | Merritt | Shortt |
| Allen | DeLano | Herrick W R | Miller | Smith A E |
| Baumes | Donnelly | Heyman | Mork | Smith T K |
| Beach | Donovan | Higgins | Murray | Stivers |
| Blauvelt | Drummond | Hinman | Myers | Sullivan |
| Brace | Ebbetts | Hoey | Neupert | Sweet |
| Brennan | Egan | Hoff | Nolan | Talmage |
| Brereton | Evans | Hollmann | O'Connor | Terry |
| Bridenbecker | Farrell | Hoyt | Oliver | Thorn |
| Brooks | Fay | Jackson | O'Neill J J | Trombly |
| Brown | Filley | Jones | O'Neil M A | Turley |
| Bryant | Fitzpatrick | Kennedy | Pappert | Ward |
| Bush | Foley | Keys | Parker A | Waring |
| Butler | Friedman | Lansing | Parker J S | Warren |
| Carew | Fry | LaReau | Patrie | Washburn |
| Caughlan | Geatons | Lent | Phillips C W | Waters R B |
| Chanler | Gerhardt | Levy A J | Phillips J S | Weil |
| Cheney | Goldberg | Levy J | Pierce | Wende |
| Coffey | Goldstein | MacGregor | Saunders | Wheeler |
| Collin | Goodwin | Manley | Schifferdecker | Wilson |
| Colné | Graubard | Martin | Seeley | Winters |
| Connell | Hackett | McCue | Shannon | Yale |
| Constantine | Haines | McDaniels | Sheide | Yeomans |
| Cosad | Hammond | McElligott | Shepardson | Young |
| Cross | Hart | McKeon | Shlivek | Zorn |
| Cuvillier | Hearn | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter three hundred and sixty-one of the Laws of eighteen hundred and sixty-three, entitled 'An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania,' and all acts amendatory thereof, as amended by chapter three hundred and forty of the Laws of eighteen hundred and ninety-two, entitled 'An act to amend chapter three hundred and sixty-one of the Laws of eighteen hundred and sixty-three, entitled "An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania,"' and all acts amendatory thereof" (No. 1654, Rec. No. 492), which was read the first time and referred to the committee on railroads.

"An act making an appropriation for highway improvement in

expediting the building of certain State routes in Westchester county" (No. 2056, Rec. No. 493), which was read the first time and referred to the committee on ways and means.

Mr. A. J. Levy, from the committee on the judiciary, to which was referred Senate bill introduced by Mr. Wagner (No. 22, Rec. No. 109), entitled "Concurrent resolution of the Senate and Assembly ratifying the proposed amendment to the Constitution of the United States, relating to taxes on incomes," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

On motion of Mr. A. E. Smith, the House resumed consideration of Senate bill (No. 1291, Rec. No. 334), entitled "An act to amend the Highway Law, in relation to the State Commission of Highways," heretofore temporarily laid aside.

Debate was continued.

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 81

NOES 47

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Beach | Drummond | Hackett | Martin | Saunders |
| Blauvelt | Evans | Hearn | McCue | Schifferdecker |
| Boylan | Farrell | Herrick J J | McDaniels | Seeley |
| Brace | Fay | Herrick W R | McElligott | Shortt |
| Brennan | Fitzpatrick | Heyman | McGrath | Smith A E |
| Bridenbecker | Foley | Hoey | McKeon | Spielberg |
| Bush | Friedman | Hollmann | Miller | Terry |
| Carew | Fry | Hoyt | Mork | Trombly |
| Caughlan | Geatons | Huber | Myers | Walker |
| Chanler | Gerhardt | Jackson | Neupert | Warren |
| Collin | Gerken | Jameson | O'Connor | Washburn |
| Cosad | Gillen | Kennedy | Oliver | Weil |
| Cuvillier | Goldberg | LaReau | O'Neill J J | Wende |
| Dawson | Goldstein | Levy A J | O'Neil M A | Wheeler |
| Day | Gould | Levy J | Parker A | Zorn |
| Donnelly | Graubard | Manley | Patrie | Speaker |
| Donovan | | | | |

Those who voted in the negative were:

| | | | | |
|----------|-------------|-----------|--------------|------------|
| Adler | Connell | Hinman | Parker J S | Thorn |
| Allen | Constantine | Jones | Phillips C W | Ward |
| Baumes | Cross | Keys | Phillips J S | Waring |
| Brereton | Filley | Lansing | Pierce | Waters R B |
| Brooks | Goodman | MacGregor | Shannon | Wilson |
| Brown | Goodwin | Merritt | Shepardson | Winters |
| Bryant | Haines | Murray | Stivers | Yale |
| Butler | Hammond | Nolan | Sullivan | Yeomans |
| Cheney | Hart | Pappert | Sweet | Young |
| Colné | Higgins | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Merritt: I ask unanimous consent to make a statement.

At the close of the proceeding when the vote was taken on the so-called Burd bill, the gentleman from Monroe, Mr. C. W. Phillips, asked how Mr. Pappert was recorded. The Clerk had already announced the result and the Chair so stated to the House, and the information was not furnished at that time. Now, Mr. Speaker, the gentleman from Monroe, Mr. Pappert, assures me that he intended and he believes did vote in the negative.

The record shows that he is recorded in the affirmative. I am not questioning the record. I am not charging unfairness on the part of the Clerk. It is within the knowledge of the members of this House who were present at the time that there was considerable conversation and disorder. But, Mr. Speaker, this leaves the gentleman from Monroe, Mr. Pappert, in the position of being the only member of the minority who voted for the bill which passed by one vote. I desire that the record show — and Mr. Pappert will very properly make his own statement with regard to it — that he had intended and did vote in the negative. It occurred to me that if the House and the Desk accept that statement as the true intent and purpose of the gentleman from Monroe that a very proper way to deal with that bill would be to reconsider the vote by which it passed; and as there is, I assume, no question of the majority being able to pass it if they so desire that another roll-call be had on the bill. It leaves the gentlemen from Monroe in a bad case with his colleagues on this side; and I am only suggesting what seems to me to be a fair and easy way to adjust this matter. I do not desire that the Chair or the Desk shall understand me as charging that they deliberately recorded the gentleman contrary to his intention. And I want to add to that that no conversation has been had among the minority in regard to the matter other than when the matter was called to Mr. Pappert's attention and a certified copy of the roll-call was

shown him he assured me and he assured other members on this side of the House that he did not intend and did not vote in the affirmative.

Mr. Pappert: Mr. Speaker, all I have to say regarding my vote on this bill is that I was in my seat and voted no. The gentlemen around me I think heard it in that way. I am very sorry that a mistake like this was made.

Mr. Speaker: The Chair desires that the Clerk be permitted by unanimous consent to make a statement as to his understanding of Mr. Pappert's vote.

Mr. Clerk: Mr. Pappert, as the Clerk understood, voted in the affirmative and was so recorded.

Mr. A. E. Smith: Mr. Speaker, before the gentleman from St. Lawrence proceeded very far in his talk it was upon my mind to move to reconsider the vote by which the bill passed. In explanation of the reason why the gentleman from Monroe was not answered permit me to say that he asked his question after the Clerk had announced his result. It has been the established precedent in the House that after the roll has been called and the absentees have been called, a detailed statement has then been asked for and given by the Clerk and the result is announced, any other inquiry as to that roll-call is not in order.

Mr. A. E. Smith moved to reconsider the vote by which Senate bill (No. 737, Rec. No. 82), entitled "An act to amend chapter three hundred and sixty-nine of the Laws of eighteen hundred and ninety-five, entitled 'An act creating a commissioner of jurors for each county of the State, having a certain population, and regulating and prescribing his duties; also providing in what manner jury lists shall be made up and jurors drawn and notified in the courts of record in such counties, and how they may be exempted or excused, and the length of service of such jurors generally,' in relation to the deposit of names in the jury box and the qualification of jurors." was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00.

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Herrick J J | Merritt | Shortt |
| Allen | DeLano | Herrick W R | Miller | Smith A E |
| Baumes | Donnelly | Heyman | Mork | Smith T K |
| Beach | Donovan | Higgins | Murray | Stivers |
| Blauvelt | Drummond | Hinman | Myers | Sullivan |
| Brace | Ebbetts | Hoey | Neupert | Sweet |
| Brennan | Egan | Hoff | Nolan | Talmage |
| Brereton | Evans | Hollmann | O'Connor | Terry |
| Bridenbecker | Farrell | Hoyt | Oliver | Thorn |
| Brooks | Fay | Jackson | O'Neill J J | Trombly |
| Brown | Filley | Jones | O'Neil M A | Turley |
| Bryant | Fitzpatrick | Kennedy | Pappert | Ward |
| Bush | Foley | Keys | Parker A | Waring |
| Butler | Friedman | Lansing | Parker J S | Warren |
| Carew | Fry | LaReau | Patrie | Washburn |
| Caughlan | Geatons | Lent | Phillips C W | Waters R B |
| Chanler | Gerhardt | Levy A J | Phillips J S | Weil |
| Cheney | Goldberg | Levy J | Pierce | Wende |
| Coffey | Goldstein | MacGregor | Saunders | Wheeler |
| Collin | Goodwin | Manley | Schifferdecker | Wilson |
| Colné | Graubard | Martin | Seeley | Winters |
| Connell | Hackett | McCue | Shannon | Yale |
| Constantine | Haines | McDaniels | Sheide | Yeomans |
| Cosad | Hammond | McElligott | Shepardson | Young |
| Cross | Hart | McKeon | Shlivek | Zorn |
| Cuvillier | Hearn | | | |

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 81

NOES 45

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Beach | Drummond | Hackett | Martin | Saunders |
| Blauvelt | Evans | Hearn | McCue | Schifferdecker |
| Boylan | Farrell | Herrick J J | McDaniels | Seeley |
| Brace | Fay | Herrick W R | McElligott | Sheide |
| Brennan | Fitzpatrick | Heyman | McGrath | Shortt |
| Bridenbecker | Foley | Hoey | McKeon | Smith A E |
| Bush | Friedman | Hollmann | Miller | Spielberg |
| Carew | Fry | Hoyt | Mork | Terry |
| Caughlan | Geatons | Huber | Myers | Trombly |
| Chanler | Gerhardt | Jackson | Neupert | Walker |
| Collin | Gerken | Jameson | O'Connor | Warren |
| Cosad | Gillen | Kennedy | Oliver | Washburn |
| Cuvillier | Goldberg | LaReau | O'Neill J J | Weil |
| Dawson | Goldstein | Levy A J | O'Neil M A | Wende |
| Day | Gould | Levy J | Parker A | Wheeler |
| Donnelly | Graubard | Manley | Patrie | Zorn |
| Donovan | | | | |

Those who voted in the negative were:

| | | | | |
|----------|-------------|-----------|--------------|------------|
| Adler | Colné | Higgins | Pappert | Sweet |
| Allen | Constantine | Hinman | Parker J S | Thorn |
| Baumes | Cross | Jones | Phillips C W | Ward |
| Brereton | Filley | Keys | Phillips J S | Waring |
| Brooks | Goodman | Lansing | Pierce | Waters R B |
| Brown | Goodwin | MacGregor | Shannon | Wilson |
| Bryant | Haines | Merritt | Shepardson | Winters |
| Butler | Hammond | Murray | Stivers | Yale |
| Cheney | Hart | Nolan | Sullivan | Young |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Chanler in the chair.

Mr. Speaker announced the special order, being the bill (No. 1298, Int. No. 352), entitled "An act to amend the Forest, Fish and Game Law, in relation to the protection of wild birds."

Debate was had thereon.

On motion of Mr. A. J. Levy, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 47

NOES 65

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|-------------|-------------|----------------|
| Brace | Fitzpatrick | Hackett | Levy J | Schifferdecker |
| Brennan | Foley | Hearn | McCue | Seeley |
| Bush | Geatons | Herrick J J | McElligott | Sheide |
| Carew | Gerhardt | Heyman | McGrath | Smith A E |
| Caughlan | Gerken | Hoey | McKeon | Spiegelberg |
| Cuvillier | Gillen | Jackson | Mork | Walker |
| Donnelly | Goldberg | Jameson | Oliver | Warren |
| Donovan | Goldstein | Kennedy | O'Neill J J | Weil |
| Farrell | Goodman | Levy A J | O'Neil M A | Zorn |
| Fay | Gould | | | |

Those who voted in the negative were:

| | | | | |
|----------|-------------|----------|----------|----------|
| Adler | Colné | Higgins | Neupert | Sullivan |
| Baumes | Constantine | Hollmann | Nolan | Sweet |
| Beach | Cosad | Hoyt | Pappert | Terry |
| Blauvelt | Day | Huber | Parker A | Thorn |

| | | | | |
|--------------|-------------|-----------|--------------|----------|
| Boylan | Drummond | Jones | Parker J S | Ward |
| Brereton | Filley | Keys | Patrie | Waring |
| Bridenbecker | Friedman | Lansing | Phillips C W | Washburn |
| Brooks | Fry | LaReau | Phillips J S | Wende |
| Brown | Goodwin | Manley | Pierce | Wheeler |
| Bryant | Haines | McDaniels | Saunders | Wilson |
| Chanler | Hammond | Merritt | Shepardson | Winters |
| Cheney | Hart | Miller | Shortt | Yale |
| Collin | Herrick W R | Myers | Stivers | Yeomans |

The Senate returned the Assembly bill (No. 2542, Senate Reprint No. 2147, Int. No. 1481), entitled "An act to amend the Election Law, generally," with a message that they have concurred in the passage of the same, with the following amendments:

Page 3, line 15, strike out the word "one".

Page 3, strike out all of line 16 and insert in italics "ten thousand votes for its candidate for such office".

Page 7, line 5, insert in italics after the word "shall", second occurring, "on one of the days of registration in such year".

Page 7, line 5, after the word "registered" strike out comma and insert in italics "as a qualified elector".

Page 7, line 18, strike out all of new matter following the word "are".

Page 7, line 19, strike out the words "primary records to be".

Page 8, line 10, before the word "such", second occurring, on that line insert a bracket.

Page 8, line 10, after the word "officer" insert a bracket and before the word "shall" insert in italics "the custodian of primary records".

Page 8, line 22, after the comma succeeding the word "construction" insert in italics the word "sufficiency".

Page 8, line 10, inclose the word "himself" in bracket.

Page 8, line 15, inclose the word "officer" in bracket.

Page 8, line 15, before the word "aforesaid" insert in italics "court or judge".

Page 14, line 2, after the word "may" insert bracket.

Page 14, line 4, after the word "accordingly" strike out the bracket.

Page 24, line 26, after the word "and" insert in italics "also upon all days of registration".

Page 30, line 15, after the first bracket strike out the small "c" in the word "copies" and substitute capital "C".

Page 32, line 24, after the word "superintendent" add a small letter "s" in italics.

Page 33, line 1, after the word "officials" insert the words "in like manner".

On page 33, line 23, after the word "State" put in the following words "in which the office of county clerk is a salaried office" in italics.

Page 38, line 9, after the word "elections" insert colon.

Page 42, line 16, after the word "supervisors" insert "shall thereupon notify the proper local official or officials who" in italics.

Page 44, line 1, after the word "borough" insert period and strike out "in which each county is located".

Page 44, strike out all of lines 2 and 3.

Page 46, line 11, after the word "place" insert "at or" in italics.

Page 46, line 12, strike out the words "complete the act of".

Page 46, line 13, strike out the italicized word "voting".

Page 46, line 12, after the word "to" insert in italics the word "vote".

Page 47, line 14, bracket the word "his" and insert in italics "its".

Page 47, line 17, bracket the word "He" and insert "They".

Page 54, line 6, before the word "and" insert bracket.

Page 54, line 8, after the quotation marks succeeding the word "circle" insert bracket.

Page 55, line 9, after the word "candidate" insert in italics "whose name is printed".

Page 55, line 23, place bracket around period succeeding the word "columns" and substitute a comma and insert the following words in italics: "unless the name of a candidate of the party is printed in another column, in which event make an additional cross X mark in the voting space before his name".

Page 58, line 11, insert before the word "and" a bracket and after the comma following "York" insert bracket.

Page 74, commence a new paragraph after line 4 as follows in italics: "Rule No. 11. If the elector shall have made a voting mark in the voting space before the words 'see column', or the words 'no nomination', such mark shall be regarded as surplusage."

Page 74, line 17, after the word "city" and before the period insert the words "or villages" in italics.

Page 75, line 8, place bracket around the letter "s" in the word "books".

Page 76, line 9, after the word "filed" insert the following "in person or by mail".

Page 78, lines 1 and 2, strike out the words "three hundred and ninety-three" in italics.

Page 79, strike out all from line 8 to line 26, inclusive.

Page 80, strike out entire page.

Page 81, strike out from lines 1 to 14, inclusive.

Page 93, line 17, place bracket around the word "fifty" and after the word "and" insert in italics "seventy-five".

Page 104, line 22, after the word "delivered" insert in italics "personally or by mail".

Page 105, line 1, before the word "to" insert bracket.

Page 105, line 2, after the word "same" insert bracket.

Page 105, line 14, after the semi-colon following the word "dollars", second occurring in line, place bracket.

Page 105, line 15, after the semi-colon following the word "dollars" strike out bracket.

Page 105, line 21, strike out the word "twenty-five" and insert before the word "of" the word "fifty" in italics.

Page 107, line 4, insert after the word "sections" the word "twenty-one" in italics.

Mr. A. J. Levy moved to concur in the Senate amendments.

Objection being made to the immediate consideration of said message,

Ordered, That the same be referred to the committee on rules.

Mr. A. J. Levy gives notice that he requests that Assembly bill (No. 2542, Int. No. 1481), entitled "An act to amend the Election Law, generally," reported for concurrence in the Senate amendments, a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. A. J. Levy (No. 2542, Int. No. 1481), entitled "An act to amend the Election Law, generally," reported in favor of concurring in the Senate amendments, and that the same be made a special order immediately, which report was agreed to, and said bill ordered made a special order immediately.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest required it; therefore, in accordance with the provisions of section 15 of article 3 of the Constitution and by virtue of the authority thereby

conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill (Int. No. 1481, Printed No. 2542), as amended, entitled "An act to amend the Election Law, generally."

Given under my hand and the privy seal of the State at the Capitol in the city of Albany, this twenty-ninth day [L. S.] of June, in the year of Our Lord one thousand nine hundred and eleven.

JOHN A. DIX.

By the Governor:

JOHN A. MASON,
Secretary to the Governor.

Debate was had thereon.

Mr. Speaker put the question whether the House would concur in said amendments, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 78

NOES 47

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Beach | Donovan | Hearn | McCue | Schifferdecker |
| Blauvelt | Drummond | Herrick J J | McDaniels | Seeley |
| Boylan | Evans | Herrick W R | McElligott | Sheide |
| Brace | Farrell | Heyman | McGrath | Smith A E |
| Brennan | Fay | Hoey | McKeon | Spielberg |
| Bridenbecker | Fitzpatrick | Hollmann | Miller | Terry |
| Bush | Foley | Hoyt | Mork | Trombly |
| Carew | Geatons | Huber | Myers | Walker |
| Caughlan | Gerhardt | Jackson | Neupert | Warren |
| Chanler | Gerken | Jameson | Oliver | Washburn |
| Collin | Gillen | Kennedy | O'Neill J J | Weil |
| Cosad | Goldberg | LaReau | O'Neil M A | Wende |
| Cuvillier | Goldstein | Levy A J | Parker A | Wheeler |
| Dawson | Gould | Levy J | Patrie | Zorn |
| Day | Graubard | Manley | Saunders | Speaker |
| Donnelly | Hackett | Martin | | |

Those who voted in the negative were:

| | | | | |
|-------------|----------|-----------|--------------|------------|
| Adler | Filley | Jones | Parker J S | Thorn |
| Baumes | Friedman | Keys | Phillips C W | Ward |
| Biereton | Fry | Lansing | Phillips J S | Waring |
| Brooks | Goodman | MacGregor | Pierce | Waters R B |
| Brown | Goodwin | Meiritt | Shepardson | Watson |
| Bryant | Haines | Murray | Shortt | Winters |
| Butler | Hammond | Nolan | Stivers | Yale |
| Cheney | Hart | O'Connor | Sullivan | Yeomans |
| Colné | Higgins | Pappert | Sweet | Young |
| Constartine | Hinman | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

Mr. Speaker in the chair.

The bill (No. 2544, Int. No. 1336) entitled "An act to amend the Labor Law, in relation to mercantile establishments," having been announced for a third reading,

On motion of Mr. Boylan, and by unanimous consent, said bill was ordered placed on the third reading calendar for Friday next.

The bill (No. 1221, Int. No. 1056) entitled "An act authorizing the city of Buffalo to enter into contract with the Delaware, Lackawanna and Western Railroad Company and the New York, Lackawanna and Western Railway Company, or either of them, for the purpose of securing adequate and proper freight and passenger terminals of said company or companies and to carry out and perform the provisions of said contract or contracts and the terms and conditions incidental thereto, including the purchase, sale or exchange of properties and the closing, discontinuance, alteration or relocation of streets, alleys or public grounds, or parts thereof, in said city," having been announced for a second reading,

On motion of Mr. Jackson, said bill was recommitted to the committee on affairs of cities, retaining its place on the order of second reading.

Mr. McCue moved to take from the table his motion to reconsider the vote by which Assembly bill (No. 2543, Int. No. 1123), entitled "An act to amend the Liquor Tax Law, in relation to obstructions in windows," was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill having been announced,

Mr. McCue moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137
NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hammond | McElligott | Shlivek |
| Allen | Donnelly | Hart | McGrath | Shortt |
| Baumes | Donovan | Hearn | McKéon | Smith A E |
| Beach | Drummond | Herrick J J | Merritt | Spielberg |
| Blauvelt | Ebbetts | Herrick W R | Miller | Stivers |
| Boylan | Egan | Heyman | Mork | Sullivan |
| Brace | Evans | Higgins | Murray | Sweet |
| Brennan | Farrell | Hinman | Myers | Talmage |
| Brereton | Fay | Hoey | Neupert | Terry |
| Bridenbecker | Filley | Hollmann | Nolan | Thorn |
| Brooks | Fitzpatrick | Hoyt | O'Connor | Trombly |
| Brown | Foley | Huber | Oliver | Turley |
| Bryant | Friedman | Jackson | O'Neill J J | Walker |
| Bush | Fry | Jameson | O'Neil M A | Ward |
| Butler | Geatons | Jones | Pappert | Waring |
| Carew | Gerhardt | Kennedy | Parker A | Warren |
| Caughlan | Gerken | Keys | Parker J S | Washburn |
| Chanler | Gillen | Lansing | Patrie | Waters R B |
| Cheney | Goldberg | LaReau | Phillips C W | Weil |
| Collin | Goldstein | Lent | Phillips J S | Wende |
| Colné | Goodman | Levy A J | Pierce | Wheeler |
| Connell | Goodwin | Levy J | Saunders | Wilson |
| Constantine | Gould | MacGregor | Schifferdecker | Winters |
| Cosad | Graubard | Manley | Seeley | Yale |
| Cross | Gregg | Martin | Shannon | Yeomans |
| Cuvillier | Gurnett | McCue | Sheide | Young |
| Dawson | Hackett | McDaniels | Shepardson | Zorn |
| Day | Haines | | | |

Mr. McCue moved that said bill be recommitted to the committee on excise, with instructions to report the same forthwith, amended as follows:

Strike out all new matter in italics beginning on line 21, page 2, and ending on line 1, page 3.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hackett, from the committee on excise, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, June 29, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2101,

Int. No. 928), entitled "An act to provide for the improvement of the Black River canal, and for the repair and reconstruction of the structures thereof, between the northerly boundary of Boonville and the State dam at Carthage, and making an appropriation therefor."

JOHN A. DIX.

Said bill having been announced,

Mr. Jones moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 138

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hammond | McElligott | Shepardson |
| Allen | Donnelly | Hart | McGrath | Shortt |
| Baumes | Donovan | Hearn | McKeon | Smith A E |
| Beach | Drummond | Herrick J J | Merritt | Spielberg |
| Blauvelt | Ebbetts | Herrick W R | Miller | Stivers |
| Boylan | Egan | Heyman | Mork | Sullivan |
| Brace | Evans | Higgins | Murray | Sweet |
| Brennan | Farrell | Hinman | Myers | Talmage |
| Brereton | Fay | Hoey | Neupert | Terry |
| Bridenbecker | Filley | Hollmann | Nolan | Thorn |
| Brooks | Fitzpatrick | Hoyt | O'Connor | Trombly |
| Brown | Foley | Huber | Oliver | Turley |
| Bryant | Friedman | Jackson | O'Neill J J | Walker |
| Bush | Fry | Jameson | O'Neil M A | Ward |
| Butler | Geatons | Jones | Pappert | Waring |
| Carew | Gerhardt | Kennedy | Parker A | Warren |
| Caughlan | Gerken | Keys | Parker J S | Washburn |
| Chanler | Gillen | Kopp | Patrie | Waters R B |
| Cheney | Goldberg | Lansing | Phillips C W | Weil |
| Collin | Goldstein | LaReau | Phillips J S | Wende |
| Colne | Goodman | Lent | Pierce | Wheeler |
| Connell | Goodwin | Levy A J | Saunders | Wilson |
| Constantine | Gould | Levy J | Schifferdecker | Winters |
| Cosad | Graubard | MacGregor | Seeley | Yale |
| Cross | Gregg | Manley | Shannon | Yeomans |
| Cuvillier | Gurnett | Martin | Shea | Young |
| Dawson | Hackett | McCue | Sheide | Zorn |
| Day | Haines | McDaniels | | |

Mr. Jones moved that said bill be recommitted to the committee on ways and means, with instructions to report the same forthwith, amended as follows:

In line 1 of title, strike out "and", strike out all of lines 2 and 3 of title, and in line 4 of title strike out all of line up to and including the word "Carthage" and insert in place thereof "north of Boonville and for the repair of the structures thereof".

On page 1, line 2, strike out "the" before "portion" and insert in place thereof "that".

On page 1, line 2, strike out "located"; strike out all of lines 3, 4, 5 and 6 and insert in place thereof "north of Boonville and to repair the structures thereof".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. A. E. Smith, from the committee on ways and means, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Evans offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2224, Int. No. 1795), entitled "An act to amend the Highway Law, in relation to the construction of county highways by towns," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Sweet offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2226, Int. No. 1797), entitled "An act making an appropriation for a portion of the cost of a bridge to be constructed by the towns of Schroepfel and Lysander and counties of Oswego and Onondaga over the Oswego river at Phoenix, New York, and regulating such construction," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Sweet offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1213, Int. No. 1048), entitled "An act making an appropriation for a portion of the cost of a bridge to be constructed by the city of Fulton over the Oswego river and barge canal, at such city, and regulating such construction," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Wende offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1735, Int. No. 1451), entitled "An act to ratify, confirm and legalize the proceedings of the city of Lackawanna, in the county of Erie, State of New York, for the paving of Ridge road in said city and for the issuance and sale of bonds of said city to pay for the paving of said Ridge road, and to provide for the payment of said bonds," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. T. K. Smith offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1809, Int. No. 1515), entitled "An act to amend the Forest, Fish and Game Law, in relation to local regulations for the taking of birds or game," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Gregg offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2101, Int. No. 928), entitled "An act to provide for the improvement of the Black River canal, and for the repair and reconstruction of the structures thereof, between the northerly boundary of Boonville and the State dam at Carthage, and making an appropriation therefor." for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Shortt offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the mayor of the city of New York, requesting that he return to the Assembly a certified copy of Assembly bill (No. 2359, Int. No. 1514), entitled "An act to amend section thirty-seven, chapter four of the Laws of eighteen hundred and ninety-one, as heretofore amended, generally," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. T. K. Smith offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 379, Int. No. 370), entitled "An act to amend the General Business Law, in relation to employment agencies," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *June 29, 1911.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 1058, Rec. No. 316), entitled "An act to amend section sixty-two of the Membership Corporations Law, constituting chapter thirty-five of the Consolidated Laws," for the purpose of amendment.

By order of the Senate,

PATRICK E. McCABE,

Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly has concurred in the passage of the same.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *June 21, 1911.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 913, Int. No. 824), entitled "An act to amend section five hundred and seventy-two of the Code of Criminal Procedure, in relation to execution of undertakings for bail."

JOHN A. DIX.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *June 22, 1911.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 379, Int. No. 370), entitled "An act to amend the General Business Law, in relation to employment agencies."

JOHN A. DIX.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *June 29, 1911.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2226, Int. No. 1797), entitled "An act making an appropriation for a portion of the cost of a bridge to be constructed by the towns of Schroepfel and Lysander and counties of Oswego and Onondaga over the Oswego river at Phoenix, New York,' and regulating such construction."

JOHN A. DIX.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *June 29, 1911.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1213, Int. No. 1048), entitled "An act making an appropriation for a portion of the cost of a bridge to be constructed by the city of Fulton over the Oswego river and barge canal, at such city, and regulating such construction."

JOHN A. DIX.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *June 29, 1911.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2224, Int. No. 1795), entitled "An act to amend the Highway Law, in relation to the construction of county highways by towns."

JOHN A. DIX.

The Senate returned the Senate bill (No. 1338, Assembly Reprint No. 2528, Rec. No. 303), entitled "An act to amend the Public Officers' Law, in relation to notaries public and commissioners of deeds," with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the Assembly bill (No. 1640, Senate Reprint No. 1915, Int. No. 517), entitled "An act to amend the Liquor Tax Law, in relation to applications for liquor tax certificates for certain premises within two hundred feet of a church or schoolhouse."

Also, Assembly bill (No. 1146, Senate Reprint No. 1898, Int. No. 1020), entitled "An act to amend chapter five hundred and sixty-four of the Laws of nineteen hundred and two, entitled 'An act in relation to jurors, and to the appointment and duties of a commissioner of jurors in the county of Kings.'"

Also, Assembly bill (No. 2304, Senate Reprint No. 1986, Int. No. 862), entitled "An act to amend chapter one hundred and seventy-one of the Laws of nineteen hundred and four, entitled 'An act to provide for the continuance of the office of commissioner of records of the county of Kings, and for the completion and care of the block indexes and reindexing plant, and for the care and preservation of the county records, old town and other records,' in relation to the term of office of the commissioner and appointment of his successor."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2226, Int. No. 1797), entitled "An act making an appropriation for a portion of the cost of a bridge to be constructed by the towns of Schroepel and Lysander and counties of Oswego and Onondaga over the Oswego river at Phoenix, New York, and regulating such construction," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2224, Int. No. 1795), entitled "An act to amend the Highway Law, in relation to the construction of county highways by towns," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No.

1213, Int. No. 1048), entitled "An act making an appropriation for a portion of a bridge to be constructed by the city of Fulton over the Oswego river and barge canal, at such city, and regulating such construction," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1735, Int. No. 1451), entitled "An act to ratify, confirm and legalize the proceedings of the city of Lackawanna, in the county of Erie, State of New York, for the paving of Ridge road in said city and for the issuance and sale of bonds of said city to pay for the paving of said Ridge road, and to provide for the payment of said bonds," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the mayor of the city of New York, for the purposes of amendment, the certified copy of Assembly bill (No. 2359, Int. No. 1514), entitled "An act to amend section thirty-seven, chapter four, of the Laws of eighteen hundred and ninety-one, as heretofore amended, generally," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said resolution to the mayor of the city of New York.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 812, Int. No. 742), entitled "An act to authorize the board of assessors of the city of New York to estimate, determine and allow damages sustained by property of Amy Ellis, in the borough of Brooklyn, city of New York, by reason of the opening and grading of Jerome street, and to provide for the payment by the city of any award thereunder," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 1394, Int. No. 1179), entitled "An act to amend the Greater New

York charter, in relation to the department of parks," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the governor.

Mr. T. K. Smith of Onondaga and Mr. Coffey of Westchester were excused.

On motion of Mr. A. E. Smith, the House adjourned.

FRIDAY, JUNE 30, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Oscar Krauch.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Mork gives notice that he requests that the Senate bill introduced by Mr. Stilwell (No. 1182, Rec. No. 462), entitled "An act to amend the Code of Criminal Procedure, relating to appeals from judgments in criminal cases," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Cross gives notice that he requests that the Senate bill introduced by Mr. Ferris (No. 1364, Rec. No. 401), entitled "An act to legalize and confirm the certificate of incorporation and the incorporation of the Rome and Oneida Electric railroad, and the proceedings taken and had under or in pursuance of said certificate, and extending the time within which such corporation may construct its road and put the same in operation," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Baumes gives notice that he requests that the Senate bill introduced by Mr. Rose (No. 1984, Rec. No. 482), entitled "An act to legalize, ratify and confirm all the proceedings of the city of Newburgh and of its city council, officers and agents, relative

to the issuance of the bonds of said city to the amount of thirty-two thousand dollars for the construction of sewers in certain streets and avenues of such city and authorizing the issuance and delivery of such bonds in the full amount of thirty-two thousand dollars, and the resale of such bonds in certain conditions," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Stivers gives notice that he requests that the Senate bill (No. 1778, Rec. No. 145), entitled "An act to authorize the city of Middletown to borrow money for street improvements and issue bonds therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Baumes gives notice that he requests that the Senate bill introduced by Mr. Rose (No. 1985, Rec. No. 483), entitled "An act to legalize, ratify and confirm all the proceedings of the city of Newburgh and of its city council, officers and agents and the qualified voters thereof, relative to the issuance and sale of the bonds of said city in the amount of eighteen thousand dollars for the purchase of a suitable lot of land in said city and the erection thereon of a suitable house for Chapman Steamer Company Number One, and authorizing the resale of such bonds in case of certain conditions," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Martin gives notice that he requests that the Senate bill introduced by Mr. Brackett (No. 655, Rec. No. 116), entitled "An act empowering the Northside water commissioners of the town of Waterford, county of Saratoga, to contract for the removal of filth and refuse from Saratoga avenue in said town and providing for payment therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Young gives notice that he requests that the Senate bill introduced by Mr. Wainwright (No. 2056, Rec. No. 493), entitled "An act making an appropriation for highway improvement in expediting the building of certain State routes in Westchester county," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Manley gives notice that he requests that the Senate bill introduced by Mr. Ferris (No. 1670, Rec. No. 351), entitled "An act to amend the Highway Law, in relation to the liability of the State for damages," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Sheide gives notice that he requests that the Senate bill introduced by Mr. Long (No. 1381, Rec. No. 367), entitled "An act to amend the Village Law, in relation to authorizing the village of Greenport, Suffolk county, to extend its lighting system," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Sheide gives notice that he requests that the Senate bill introduced by Mr. Long (No. 1329, Rec. No. 242), entitled "An act to amend chapter four hundred and seven of the Laws of nineteen hundred and ten, entitled 'An act to establish a public school teachers' retirement fund in Nassau county,' in relation to providing for the payment of the necessary expenses," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Sheide gives notice that he requests that the Senate bill introduced by Mr. Long (No. 1876, Rec. No. 410), entitled "An act to amend chapter five hundred and ninety-one of the Laws of eighteen hundred and seventy, entitled 'An act in relation to the custody and disposition of the money arising from the sale of the plain or common lands of the town of Hempstead, Queens

county, New York,' in relation to the investment of moneys thus derived and to legalizing certain investments thereof, heretofore made by treasurers of said town," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Cuvillier gives notice that he requests that Assembly bill (No. 605, Int. No. 104), entitled "An act to amend the Military Law, in relation to the military secretary to the Governor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Sweet gives notice that he requests that Assembly bill (No. 1442, Int. No. 1221), entitled "An act making an appropriation for highway improvement, in expediting the building of State route number thirty-four," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Patrie gives notice that he requests that Assembly bill (No. 1132, Int. No. 1006), entitled "An act to amend chapter five hundred and fifty-seven, Laws of eighteen hundred and ninety-four, entitled 'An act to provide for a commission of jurors in counties containing cities of from ninety to ninety-six thousand inhabitants,' as amended by chapter six hundred and seventy-nine, Laws of eighteen hundred and ninety-six, by excepting the county of Rensselaer from the operation thereof," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Grady (No. 1308, Rec. No. 432), entitled "An act to amend the General Business Law, constituting chapter twenty of the Consolidated Laws, in relation to the operation of the cinematograph or any other apparatus for projecting moving pictures," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on

rules for the purpose of making said bill a special order on second and third reading.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Ferris (No. 1364, Rec. No. 401), entitled "An act to legalize and confirm the certificate of incorporation and the incorporation of the Rome and Oneida Electric railroad, and the proceedings taken and had under or in pursuance of said certificate, and extending the time within which such corporation may construct its road and put the same in operation."

Also, Senate bill introduced by Mr. Stilwell (No. 1182, Rec. No. 462), entitled "An act to amend the Code of Criminal Procedure, relating to appeals from judgments in criminal cases."

Also, Senate bill introduced by Mr. Rose (No. 1778, Rec. No. 145), entitled "An act to authorize the city of Middletown to borrow money for street improvements and issue bonds therefor."

Also, Senate bill introduced by Mr. Rose (No. 1984, Rec. No. 482), entitled "An act to legalize, ratify and confirm all the proceedings of the city of Newburgh and of its city council, officers and agents, relative to the issuance of the bonds of said city to the amount of thirty-two thousand dollars for the construction of sewers in certain streets and avenues of such city and authorizing the issuance and delivery of such bonds in the full amount of thirty-two thousand dollars, and the resale of such bonds in certain conditions."

Also, Senate bill introduced by Mr. Brackett (No. 655, Rec. No. 116), entitled "An act empowering the Northside water commissioners of the town of Waterford, county of Saratoga, to contract for the removal of filth and refuse from Saratoga avenue in said town and providing for payment therefor."

Also, Senate bill introduced by Mr. Rose (No. 1985, Rec. No. 483), entitled "An act to legalize, ratify and confirm all the proceedings of the city of Newburgh and of its city council, officers and agents and the qualified voters thereof, relative to the issuance and sale of the bonds of said city in the amount of eighteen thousand dollars for the purchase of a suitable lot of land in said city and the erection thereon of a suitable house for Chapman Steamer Company Number One, and authorizing the resale of such bonds in case of certain conditions."

Also, Senate bill introduced by Mr. Ferris (No. 1670, Rec. No. 351), entitled "An act to amend the Highway Law, in relation to the liability of the State for damages."

Also, Senate bill introduced by Mr. Wainwright (No. 2056, Rec. No. 493), entitled "An act making an appropriation for highway improvement in expediting the building of certain State routes in Westchester county."

Also, Senate bill introduced by Mr. Long (No. 1329, Rec. No. 242), entitled "An act to amend chapter four hundred and seven of the Laws of nineteen hundred and ten, entitled 'An act to establish a public school teachers' retirement fund in Nassau county,' in relation to providing for the payment of the necessary expenses."

Also, Senate bill introduced by Mr. Long (No. 1381, Rec. No. 367), entitled "An act to amend the Village Law, in relation to authorizing the village of Greenport, Suffolk county, to extend its lighting system."

Also, Senate bill introduced by Mr. Long (No. 1876, Rec. No. 410), entitled "An act to amend chapter five hundred and ninety-one of the Laws of eighteen hundred and seventy, entitled 'An act in relation to the custody and disposition of the money arising from the sale of the plan or common lands of the town of Hempstead, Queens county, New York,' in relation to the investment of moneys thus derived and to legalizing certain investments thereof heretofore made by treasurers of said town," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Sweet (No. 1442, Int. No. 1221), entitled "An act making an appropriation for highway improvement, in expediting the building of State route number thirty-four."

Also, Assembly bill introduced by Mr. Cuvillier (No. 605, Int. No. 104), entitled "An act to amend the Military Law, in relation

to the military secretary to the Governor," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Patric (No. 1132, Int. No. 1006), entitled "An act to amend chapter five hundred and fifty-seven, Laws of eighteen hundred and ninety-four, entitled 'An act to provide for a commission of jurors in counties containing cities of from ninety to ninety-six thousand inhabitants,' as amended by chapter six hundred and seventy-nine, Laws of eighteen hundred and ninety-six, by excepting the county of Rensselaer from the operation thereof," reported in favor of the passage of the same, with the following amendments:

Page 1, line 4 of title, strike out " as amended by ".

Page 1, strike out line 5 of title.

Page 1, line 6 of title, strike out " dred and ninety-six by " and insert " in relation to ".

Page 1, line 7 of title, after word " thereof " insert " and to terminate the office, powers and duties of the present commissioner of jurors in such county ".

Page 1, line 2, after word " ninety-four " insert " entitled 'An act to provide for a commission of jurors in counties containing cities of from ninety to ninety-six thousand inhabitants.' "

Page 1, line 3, after word " seventy-nine " insert " of the ".

Page 1, line 4, strike out words " so as ".

and that the same be reprinted, as amended, and when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported, which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Grady (No. 1308, Rec. No. 432), entitled "An act to amend the General Business Law, constituting chapter twenty of the Consolidated Laws, in relation to the operation of the cinematograph or any other apparatus for projecting moving pictures," reported in favor of the passage of the same, with the following amendments:

Page 4, lines 26 and 27, strike out "July first, nineteen hundred and eleven" and insert "immediately".

and that the same be reprinted, as amended, and when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported, which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act modifying the powers of the Commission in Lunacy, boards of managers and officers of the State hospitals." (No. 2548, Int. No. 1895.)

"An act to provide for the maintenance by the State of a portion of a highway in the town of Ovid, Seneca county, and making an appropriation therefor." (No. 2337, Int. No. 1887.)

"An act making an appropriation for highway improvement in expediting the building of that portion of route number three, of the State highway system, extending through the county of Greene." (No. 2431, Int. No. 1934.)

"An act to repeal chapter seven hundred and sixty-five of the Laws of nineteen hundred, entitled 'An act providing for the opening, laying out and improving of Remsen avenue, in the borough of Brooklyn, in the city of New York.' (No. 2547, Int. No. 1325.)

"An act to amend the charter of the city of Gloversville, generally." (No. 2497, Int. No. 1882.)

"An act to amend the Second Class Cities Law, in relation to the grade and salaries of members of the police department." (No. 806, Int. No. 736.)

"An act conferring upon a former officer of the superior court of Buffalo the benefits of the police pension fund in the city of Buffalo." (No. 361, Int. No. 354.)

"An act to amend the Penal Law, in relation to false or misleading advertisements or statements as to or in connection with the sale of real estate." (No. 2561, Int. No. 343.)

"An act directing the board of estimate and apportionment of the city of New York, in its discretion, to cancel certain assessments on real property in the borough of Brooklyn, and refund assessments heretofore paid, and assess the same on the borough of Brooklyn." (No. 2559, Int. No. 1915.)

Mr. Speaker announced the special order, being the bill (No. 2550, Int. No. 1639), entitled "An act to amend the Election Law, in relation to the designation of places for registry and voting."

On motion of Mr. McKeon, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|------------|
| Adler | DeLano | Gurnett | McDaniels | Shannon |
| Allen | Donnelly | Hackett | McElligott | Sheide |
| Baumes | Drummond | Haines | McGrath | Shepardson |
| Beach | Ebbetts | Hart | McKeon | Stivers |
| Blauvelt | Egan | Hearn | Merritt | Sweet |
| Brennan | Evans | Herrick J J | Miller | Terry |
| Brereton | Farrell | Hoey | Monczynski | Thorn |
| Bridenbecker | Fay | Hoff | Mork | Trombly |
| Brown | Fitzpatrick | Hoyt | Myers | Turley |
| Bryant | Foley | Huber | Neupert | Ward |
| Butler | Friedman | Jackson | Oliver | Waring |
| Carew | Fry | Jameson | O'Neill J J | Washburn |

| | | | | |
|-----------|-----------|-----------|----------------|------------|
| Caughlan | Geatons' | Jones | O'Neil M A | Waters F A |
| Coffey | Gerhardt | Lansing | Pappert | Waters R B |
| Collin | Goldberg | LaReau | Parker A | Wende |
| Colné | Goldstein | Levy A J | Patrie | Wheeler |
| Connell | Goodman | Levy J | Phillips C W | Wilson |
| Cosad | Goodwin | MacGregor | Pierce | Winters |
| Cross | Gould | Manley | Saunders | Yale |
| Cuvillier | Graubard | Martin | Schifferdecker | Yeomans |
| Day | Gregg | McCue | Seeley | Zorn |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2549, Int. No. 1880), entitled "An act to amend the Railroad Law, in relation to the repairs of streets by street railway companies."

On motion of Mr. Ward, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Gurnett | McDaniels | Shannon |
| Allen | Donnelly | Hackett | McElligott | Sheide |
| Baumes | Drummond | Haines | McGrath | Shepardson |
| Beach | Ebbetts | Hart | McKeon | Stivers |
| Blauvelt | Egan | Hearn | Merritt | Sullivan |
| Brennan | Evans | Herrick J J | Miller | Terry |
| Breton | Farrell | Hoe | Monczynski | Thorn |
| Bridenbecker | Fay | Hoff | Mork | Trombly |
| Brown | Fitzpatrick | Hoyt | Myers | Turley |
| Bryant | Foley | Huber | Neupert | Ward |
| Butler | Friedman | Jackson | Oliver | Waring |
| Carew | Fry | Jameson | O'Neill J J | Washburn |
| Caughlan | Geatons | Jones | O'Neil M A | Waters F A |
| Coffey | Gerhardt | Lansing | Pappert | Waters R B |
| Collin | Goldberg | LaReau | Parker A | Wende |
| Colné | Goldstein | Levy A J | Patrie | Wheeler |
| Connell | Goodman | Levy J | Phillips C W | Wilson |
| Cosad | Goodwin | MacGregor | Pierce | Winters |
| Cross | Gould | Manley | Saunders | Yale |
| Cuvillier | Graubard | Martin | Schifferdecker | Yeomans |
| Day | Gregg | McCue | Seeley | Young |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1364, Rec. No. 401), entitled "An act to legalize and confirm the certificate of incorporation and the incorporation of the Rome and Oneida Electric railroad, and the proceedings taken and had under or in pursuance of said certificate, and extending the time within which such corporation may construct its road and put the same in operation."

On motion of Mr. Manley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Hackett | McElligott | Sheide |
| Allen | Drummond | Haines | McGrath | Shepardson |
| Baumes | Ebbetts | Hart | McKeon | Shortt |
| Beach | Egan | Hearn | Merritt | Stivers |
| Blauvelt | Evans | Herrick J J | Miller | Sweet |
| Brennan | Farrell | Hoey | Monczynski | Terry |
| Brereton | Fay | Hoff | Mork | Thorn |
| Bridenbecker | Fitzpatrick | Hoyt | Myers | Trombly |
| Brown | Foley | Huber | Neupert | Turley |
| Bryant | Friedman | Jackson | Oliver | Ward |
| Butler | Fry | Jameson | O'Neill J J | Waring |
| Carew | Geatons | Jones | O'Neil M A | Washburn |
| Caughlan | Gerhardt | Lansing | Pappert | Waters F A |
| Coffey | Goldberg | LaReau | Parker A | Waters R B |
| Collin | Goldstein | Levy A J | Patrie | Wende |
| Colné | Goodman | Levy J | Phillips C W | Wheeler |
| Connell | Goodwin | MacGregor | Pierce | Wilson |
| Cosad | Gould | Manley | Saunders | Winters |
| Cross | Graubard | Martin | Schifferdecker | Yale |
| Cuvillier | Gregg | McCue | Seeley | Yeomans |
| Day | Gurnett | McDaniels | Shannon | Young |
| DeLano | | | | |

Ordered, That the Clerk deliver said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1182, Rec. No. 462), entitled "An act to amend the Code of Criminal Procedure, relating to appeals from judgments in criminal cases."

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Gurnett | McDaniels | Shannon |
| Allen | Donnelly | Hackett | McElligott | Sheide |
| Baumes | Drummond | Haines | McGrath | Shepardson |
| Beach | Ebbetts | Hart | McKeon | Stivers |
| Blauvelt | Egan | Hearn | Merritt | Sweet |
| Brennan | Evans | Herrick J J | Miller | Terry |
| Brereton | Farrell | Hoey | Monczynski | Thorn |
| Bridenbecker | Fay | Hoff | Mork | Trombly |
| Brown | Fitzpatrick | Hoyt | Myers | Turley |
| Bryant | Foley | Huber | Neupert | Ward |
| Butler | Friedman | Jackson | Oliver | Waring |
| Carew | Fry | Jameson | O'Neill J J | Washburn |
| Caughlan | Geatons | Jones | O'Neil M A | Waters F A |
| Coffey | Gerhardt | Lansing | Pappert | Waters R B |
| Collin | Goldberg | LaReau | Parker A | Wende |
| Colné | Goldstein | Levy A J | Patrie | Wheeler |
| Connell | Goodman | Levy J | Phillips C W | Wilson |
| Cosad | Goodwin | MacGregor | Pierce | Winters |
| Cross | Gould | Manley | Saunders | Yale |
| Cuvillier | Graubard | Martin | Schifferdecker | Yeomans |
| Day | Gregg | McCue | Seeley | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1778, Rec. No. 374), entitled "An act to authorize the city of Middletown to borrow money for street improvements and issue bonds therefor."

On motion of Mr. Stivers, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Gurnett | McDaniels | Shannon |
| Allen | Donnelly | Hackett | McElligott | Sheide |
| Baumes | Drummond | Haines | McGrath | Shepardson |
| Beach | Ebbetts | Hart | McKeon | Stivers |
| Blauvelt | Egan | Hearn | Merritt | Sweet |
| Brennan | Evans | Herrick J J | Miller | Terry |
| Brereton | Farrell | Hoey | Monczynski | Thorn |
| Bridenbecker | Fay | Hoff | Mork | Trombly |
| Brown | Fitzpatrick | Hoyt | Myers | Turley |
| Bryant | Foley | Huber | Neupert | Ward |
| Butler | Friedman | Jackson | Oliver | Waring |
| Carew | Fry | Jameson | O'Neill J J | Washburn |
| Caughlan | Geatons | Jones | O'Neil M A | Waters F A |
| Coffey | Gerhardt | Lansing | Pappert | Waters R B |
| Collin | Goldberg | LaReau | Parker A | Wende |
| Colné | Goldstein | Levy A J | Patrie | Wheeler |
| Connell | Goodman | Levy J | Phillips C W | Wilson |
| Cosad | Goodwin | MacGregor | Pierce | Winters |
| Cross | Gould | Manley | Saunders | Yale |
| Cuvillier | Graubard | Martin | Schifferdecker | Yeomans |
| Day | Gregg | McCue | Seeley | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1984, Rec. No. 482), entitled "An act to legalize, ratify and confirm all the proceedings of the city of Newburgh and of its city council, officers and agents, relative to the issuance of the bonds of said city to the amount of thirty-two thousand dollars for the construction of sewers in certain streets and avenues of such city and authorizing the issuance and delivery of such bonds in the full amount of thirty-two thousand dollars, and the resale of such bonds in certain conditions."

On motion of Mr. Baumes, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Gurnett | McDaniels | Shannon |
| Allen | Donnelly | Hackett | McElligott | Sheide |
| Baumes | Drummond | Haines | McGrath | Shepardson |
| Beach | Ebbetts | Hart | McKeon | Stivers |
| Blauvelt | Egan | Hearn | Merritt | Sweet |
| Brennan | Evans | Herrick J J | Miller | Terry |
| Brereton | Farrell | Hoey | Monczynski | Thorn |
| Bridenbecker | Fay | Hoff | Mork | Trombly |
| Brown | Fitzpatrick | Hoyt | Myers | Turley |
| Bryant | Foley | Huber | Neupert | Ward |
| Butler | Friedman | Jackson | Oliver | Waring |
| Carew | Fry | Jameson | O'Neill J J | Washburn |
| Caughlan | Geatons | Jones | O'Neil M A | Waters F A |
| Coffey | Gerhardt | Lansing | Pappert | Waters R B |
| Collin | Goldberg | LaReau | Parker A | Wende |
| Colné | Goldstein | Levy A J | Patrie | Wheeler |
| Connell | Goodman | Levy J | Phillips C W | Wilson |
| Cosad | Goodwin | MacGregor | Pierce | Winters |
| Cross | Gould | Manley | Saunders | Yale |
| Cuvillier | Graubard | Martin | Schifferdecker | Yeomans |
| Day | Gregg | McCue | Seeley | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 655, Rec. No. 116), entitled "An act empowering the North-side water commissioners of the town of Waterford, county of Saratoga, to contract for the removal of filth and refuse from Saratoga avenue in said town and providing for payment therefor."

On motion of Mr. Martin, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Gurnett | McDaniels | Shannon |
| Allen | Donnelly | Hackett | McElligott | Sheide |
| Baumes | Drummond | Haines | McGrath | Shepardson |
| Beach | Ebbetts | Hart | McKeon | Stivers |
| Blauvelt | Egan | Hearn | Merritt | Sweet |
| Brennan | Evans | Herrick J J | Miller | Terry |
| Brereton | Farrell | Hoey | Monczynski | Thorn |
| Bridenbecker | Fay | Hoff | Mork | Trombly |
| Brown | Fitzpatrick | Hoyt | Myers | Turley |
| Bryant | Foley | Huber | Neupert | Ward |
| Butler | Friedman | Jackson | Oliver | Waring |
| Carew | Fry | Jameson | O'Neill J J | Washburn |
| Caughlan | Geatons | Jones | O'Neil M A | Waters F A |
| Coffey | Gerhardt | Lansing | Pappert | Waters R B |
| Collin | Goldberg | LaReau | Parker A | Wende |
| Colné | Goldstein | Levy A J | Patrie | Wheeler |
| Connell | Goodman | Levy J | Phillips C W | Wilson |
| Cosad | Goodwin | MacGregor | Pierce | Winters |
| Cross | Gould | Manley | Saunders | Yale |
| Cuvillier | Graubard | Martin | Schifferdecker | Yeomans |
| Day | Gregg | McCue | Seeley | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1985, Rec. No. 483), entitled "An act to legalize, ratify and confirm all the proceedings of the city of Newburgh and of its city council, officers and agents, and the qualified voters thereof, relative to the issuance and sale of the bonds of said city in the amount of eighteen thousand dollars for the purchase of a suitable lot of land in said city and the erection thereon of a suitable house for Chapman Steamer Company Number One, and authorizing the resale of such bonds in case of certain conditions."

On motion of Mr. Baumes, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed

and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Gurnett | McDaniels | Shannon |
| Allen | Donnelly | Hackett | McElligott | Sheide |
| Baumes | Drummond | Haines | McGrath | Shepardson |
| Beach | Ebbetts | Hart | McKeon | Stivers |
| Blauvelt | Egan | Hearn | Meiritt | Sweet |
| Brennan | Evans | Herrick J J | Miller | Terry |
| Brereton | Farrell | Hoey | Monczynski | Thorn |
| Bridenbecker | Fay | Hoff | Mork | Trombly |
| Brown | Fitzpatrick | Hoyt | Myers | Turley |
| Bryant | Foley | Huber | Neupert | Ward |
| Butler | Friedman | Jackson | Oliver | Waring |
| Carew | Fry | Jameson | O'Neill J J | Washburn |
| Caughlan | Geatons | Jones | O'Neil M A | Waters F A |
| Coffey | Gerhardt | Lansing | Pappert | Waters R B |
| Collin | Goldberg | LaReau | Parker A | Wende |
| Colné | Goldstein | Levy A J | Patrie | Wheeler |
| Connell | Goodman | Levy J | Phillips C W | Wilson |
| Cosad | Goodwin | MacGregor | Pierce | Winters |
| Cross | Gould | Manley | Saunders | Yale |
| Cuvillier | Graubard | Martin | Schifferdecker | Yeomans |
| Day | Gregg | McCue | Seeley | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1670, Rec. No. 351), entitled "An act to amend the Highway Law, in relation to the liability of the State for damages."

On motion of Mr. Manley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Gurnett | McDaniels | Shannon |
| Allen | Drummond | Hackett | McElligott | Sheide |
| Baumes | Ebbetts | Haines | McGrath | Shepardson |
| Beach | Egan | Hart | McKeon | Stivers |
| Blauvelt | Evans | Hearn | Merritt | Sweet |
| Brennan | Farrell | Herrick J J | Miller | Terry |
| Brereton | Fay | Hoey | Monczynski | Thorn |
| Bridenbecker | Filley | Hoff | Mork | Trombly |
| Brown | Fitzpatrick | Hoyt | Myers | Turley |
| Bryant | Foley | Huber | Neupert | Ward |
| Butler | Friedman | Jackson | Oliver | Waring |
| Carew | Fry | Jameson | O'Neill J J | Washburn |
| Caughlan | Geatons | Jones | O'Neil M A | Waters F A |
| Coffey | Gerhardt | Lansing | Pappert | Waters R B |
| Collin | Goldberg | LaReau | Parker A | Wende |
| Colné | Goldstein | Levy A J | Patrie | Wheeler |
| Connell | Goodman | Levy J | Phillips C W | Wilson |
| Cosad | Goodwin | MacGregor | Pierce | Winters |
| Cross | Gould | Manley | Saunders | Yale |
| Cuvillier | Graubard | Martin | Schifferdecker | Yeomans |
| Day | Gregg | McCue | Seeley | Zorn |
| DeLano | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2056, Rec. No. 493), entitled "An act making an appropriation for highway improvement in expediting the building of certain State routes in Westchester county."

On motion of Mr. Young, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------|----------|---------|------------|------------|
| Adler | Donnelly | Hackett | McElligott | Shannon |
| Allen | Drummond | Haines | McGrath | Sheide |
| Baumes | Ebbetts | Hart | McKeon | Shepardson |

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Beach | Egan | Hearn | Merritt | Stivers |
| Blauvelt | Evans | Herrick J J | Miller | Sweet |
| Brennan | Farrell | Hoey | Monczynski | Terry |
| Brereton | Fay | Hoff | Mork | Thorn |
| Bridenbecker | Filley | Hoyt | Myers | Trombly |
| Brown | Fitzpatrick | Huber | Neupert | Turley |
| Bryant | Foley | Jackson | Oliver | Ward |
| Butler | Friedman | Jameson | O'Neil J J | Waring |
| Carew | Fry | Jones | O'Neil M A | Washburn |
| Caughlan | Geatons | Lansing | Pappert | Waters F A |
| Coffey | Gerhardt | LaReau | Parker A | Waters R B |
| Collin | Goldberg | Levy A J | Patrie | Wende |
| Colné | Goldstein | Levy J | Phillips C W | Wheeler |
| Connell | Goodman | MacGregor | Phillips J S | Wilson |
| Cosad | Goodwin | Manley | Pierce | Winters |
| Cross | Gould | Martin | Saunders | Yale |
| Cuvillier | Graubard | McCue | Schifferdecker | Yeomans |
| Day | Gregg | McDaniels | Seeley | Zorn |
| DeLano | Gurnett | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1329, Rec. No. 242), entitled "An act to amend chapter four hundred and seven of the Laws of nineteen hundred and ten, entitled 'An act to establish a public school teachers' retirement fund in Nassau county,' in relation to providing for the payment of the necessary expenses."

On motion of Mr. Hollmann, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|------------|
| Adler | Donnelly | Gurnett | McDaniels | Shannon |
| Allen | Drummond | Hackett | McElligott | Sheide |
| Baumes | Ebbetts | Haines | McGrath | Shepardson |
| Beach | Egan | Hart | McKeon | Stivers |
| Blauvelt | Evans | Hearn | Merritt | Sweet |
| Brennan | Farrell | Herrick J J | Miller | Terry |
| Brereton | Fay | Hoey | Monczynski | Thorn |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Bridenbecker | Filley | Hoff | Mork | Trombly |
| Brown | Fitzpatrick | Hoyt | Myers | Turley |
| Bryant | Foley | Huber | Neupert | Ward |
| Butler | Friedman | Jackson | Oliver | Waring |
| Carew | Fry | Jameson | O'Neill J J | Washburn |
| Caughlan | Geatons | Jones | O'Neil M A | Waters F A |
| Coffey | Gerhardt | Lansing | Pappert | Waters R B |
| Collin | Goldberg | LaReau | Parker A | Wende |
| Colné | Goldstein | Levy A J | Patrie | Wheeler |
| Connell | Goodman | Levy J | Phillips C W | Wilson |
| Cosad | Goodwin | MacGregor | Pierce | Winters |
| Cross | Gould | Manley | Saunders | Yale |
| Cuvillier | Graubard | Martin | Schifferdecker | Yeomans |
| Day | Gregg | McCue | Seeley | Zorn |
| DeLano | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1381, Rec. No. 367), entitled "An act to amend the Village Law, in relation to authorizing the village of Greenport, Suffolk county, to extend its lighting system."

On motion of Mr. Hollmann, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|------------|
| Adler | Donnelly | Gurnett | McDaniels | Shannon |
| Allen | Drummond | Hackett | McElligott | Sheide |
| Baumes | Ebbetts | Haines | McGrath | Shepardson |
| Beach | Egan | Hart | McKeon | Stivers |
| Blauvelt | Evans | Hearn | Merritt | Sweet |
| Brennan | Farrell | Herrick J J | Miller | Terry |
| Brereton | Fay | Hoey | Monczynski | Thorn |
| Bridenbecker | Filley | Hoff | Mork | Trombly |
| Brown | Fitzpatrick | Hoyt | Myers | Turley |
| Bryant | Foley | Huber | Neupert | Ward |
| Butler | Friedman | Jackson | Oliver | Waring |
| Carew | Fry | Jameson | O'Neill J J | Washburn |
| Caughlan | Geatons | Jones | O'Neil M A | Waters F A |
| Coffey | Gerhardt | Lansing | Pappert | Waters R B |
| Collin | Goldberg | LaReau | Parker A | Wende |

| | | | | |
|-----------|-----------|-----------|----------------|---------|
| Colné | Goldstein | Levy A J | Patrie | Wheeler |
| Connell | Goodman | Levy J | Phillips C W | Wilson |
| Cosad | Goodwin | MacGregor | Pierce | Winters |
| Cross | Gould | Manley | Saunders | Yale |
| Cuvillier | Graubard | Martin | Schifferdecker | Yeomans |
| Day | Gregg | McCue | Seeley | Zorn |
| DeLano | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1876, Rec. No. 410), entitled "An act to amend chapter five hundred and ninety-one of the Laws of eighteen hundred and seventy, entitled 'An act in relation to the custody and disposition of the money arising from the sale of the plain or common lands of the town of Hempstead, Queens county, New York,' in relation to the investment of moneys thus derived and to legalizing certain investments thereof heretofore made by treasurers of said town."

On motion of Mr. Hollmann, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|------------|
| Adler | Donnelly | Gurnett | McDaniels | Shannon |
| Allen | Drummond | Hackett | McElligott | Sheide |
| Baumes | Ebbetts | Haines | McGrath | Shepardson |
| Beach | Egan | Hart | McKeon | Stivers |
| Blauvelt | Evans | Hearn | Merritt | Sweet |
| Brennan | Farrell | Herrick J J | Miller | Terry |
| Brereton | Fay | Hoey | Monczynski | Thorn |
| Bridenbecker | Filley | Hoff | Mork | Trombly |
| Brown | Fitzpatrick | Hoyt | Myers | Turley |
| Bryant | Foley | Huber | Neupert | Ward |
| Butler | Friedman | Jackson | Oliver | Waring |
| Carew | Fry | Jameson | O'Neill J J | Washburn |
| Caughlan | Geatons | Jones | O'Neil M A | Waters F A |
| Coffey | Gerhardt | Lansing | Pappert | Waters R B |

| | | | | |
|-----------|-----------|-----------|----------------|---------|
| Collin | Goldberg | LaReau | Parker A | Wende |
| Colné | Goldstein | Levy A J | Patrie | Wheeler |
| Connell | Goodman | Levy J | Phillips C W | Wilson |
| Cosad | Goodwin | MacGregor | Pierce | Winters |
| Cross | Gould | Manley | Saunders | Yale |
| Cuvillier | Graubard | Martin | Schifferdecker | Yeomans |
| Day | Gregg | McCue | Seeley | Zorn |
| DeLano | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1442, Int. No. 1221), entitled "An act making an appropriation for highway improvement, in expediting the building of State route number thirty-four."

On motion of Mr. Sweet, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Gurnett | McDaniels | Shannon |
| Allen | Drummond | Hackett | McElligott | Sheide |
| Baumes | Ebbetts | Haines | McGrath | Shepardson |
| Beach | Egan | Hart | McKeon | Stivers |
| Blauvelt | Evans | Hearn | Merritt | Sweet |
| Brennan | Farrell | Herrick J J | Miller | Terry |
| Brereton | Fay | Hoey | Monczynski | Thorn |
| Bridenbecker | Filley | Hoff | Mork | Trombly |
| Brown | Fitzpatrick | Hoyt | Myers | Turley |
| Bryant | Foley | Huber | Neupert | Ward |
| Butler | Friedman | Jackson | Oliver | Waring |
| Carew | Fry | Jameson | O'Neill J J | Washburn |
| Caughlan | Geatons | Jones | O'Neil M A | Waters F A |
| Coffey | Gerhardt | Lansing | Pappert | Waters R B |
| Collin | Goldberg | LaReau | Parker A | Wende |
| Colné | Goldstein | Levy A J | Patrie | Wheeler |
| Connell | Goodman | Levy J | Phillips C W | Wilson |
| Cosad | Goodwin | MacGregor | Pierce | Winters |
| Cross | Gould | Manley | Saunders | Yale |
| Cuvillier | Graubard | Martin | Schifferdecker | Yeomans |
| Day | Gregg | McCue | Seeley | Zorn |
| DeLano | | | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 605, Int. No. 104), entitled "An act to amend the Military Law, in relation to the military secretary to the Governor."

On motion of Mr. Cuvillier, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Gregg | McDaniels | Shannon |
| Allen | Drummond | Gurnett | McElligott | Sheide |
| Baumes | Ebbetts | Hackett | McGrath | Shepardson |
| Beach | Egan | Haines | McKeon | Stivers |
| Blauvelt | Evans | Hart | Merritt | Sweet |
| Brennan | Farrell | Hearn | Miller | Terry |
| Brereton | Fay | Herrick J J | Monczynski | Thorn |
| Bridenbecker | Filley | Hoff | Mork | Trombly |
| Brown | Fitzpatrick | Hoyt | Myers | Turley |
| Bryant | Foley | Huber | Neupert | Ward |
| Butler | Friedman | Jackson | Oliver | Waring |
| Carew | Fry | Jameson | O'Neill J J | Washburn |
| Caughlan | Geatons | Jones | O'Neil M A | Waters F A |
| Coffey | Gerhardt | Lansing | Pappert | Waters R B |
| Collin | Goldberg | LaReau | Parker A | Wende |
| Colné | Goldstein | Levy A J | Patrie | Wheeler |
| Connell | Goodman | Levy J | Phillips C W | Wilson |
| Cosad | Goodwin | MacGregor | Pierce | Winters |
| Cross | Gould | Manley | Saunders | Yale |
| Cuvillier | Graubard | Martin | Schifferdecker | Yeomans |
| Day | Gray | McCue | Seeley | Zorn |
| DeLano | | | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 2544, Int. No. 1336) entitled "An act to amend the Labor Law, in relation to mercantile establishments," having been announced for a third reading,

On motion of Mr. Oliver, and by unanimous consent, said bill

was ordered placed on the third reading calendar for Wednesday next.

The Senate bill (No. 22, Rec. No. 109) entitled "Concurrent resolution of the Senate and Assembly ratifying the proposed amendment to the Constitution of the United States, relating to taxes on incomes," having been announced for a second reading,

On motion of Mr. Oliver, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

Mr. Oliver offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That when the Legislature adjourns this day it be to meet Wednesday, July 5th, at 8:30 o'clock P. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Foley offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1540, Int. No. 1309), entitled "An act to amend chapter four hundred and three of the Laws of nineteen hundred and three, entitled 'An act to create and establish a city court in and for the city of Cohoes, to provide for the appointment of the officers thereof, and to regulate the practice in said court,' in relation to the election and term of office of the city judge," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Foley offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1627, Int. No. 1371), entitled "An act to amend the Public Health Law, in relation to the practice of undertaking

and embalming and the licensing of undertakers and embalmers," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. M. A. O'Neil offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 2473, Int. No. 1548), entitled "An act to amend sections seven hundred and fifteen, ten hundred and fifteen, nineteen hundred and forty-seven, twenty-seven hundred and twenty-five and twenty-seven hundred and twenty-eight of the Code of Civil Procedure, by adding matter relating to accountants," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Patrie offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1000, Int. No. 901), entitled "An act to amend the Railroad Law, in relation to the revocation of the appointment of conductors and brakemen as policemen," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the Senate bill (No. 2064, Rec. No. 488), entitled "An act relating to conservation of land, forests, waters, parks, hydraulic power, fish and game, constituting chapter sixty-five of the Consolidated Laws," with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the bill (No. 2108, Int. No. 1697), entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to

revise the charter of the city of Elmira,' generally," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Elmira.

Also, the bill (No. 2526, Int. No. 504), entitled "An act to amend the Public Health Law, in respect of conferring upon the city of New York control over the potable water supply of said city," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

Also, the bill (No. 2518, Int. No. 1928), entitled "An act creating a railway terminal station commission of the city of Buffalo, defining its power and authorizing said city to issue its bonds," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

The Senate returned the bill (No. 1217, Int. No. 1052), entitled "An act to legalize and confirm a special election held in the city of Jamestown on the fourteenth day of January, nineteen hundred and eleven, and the propositions adopted thereat authorizing the raising of money by or issuing of bonds for hospital and fire department purposes," with a message that they have again concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution providing for an adjournment until Wednesday, July 5th, at 8:30 o'clock p. m., with a message that they have concurred in the passage of the same.

The Senate returned the concurrent resolution in relation to printing the final report of the Lake Champlain Tercentenary Commission, with a message that they have concurred in the passage of the same without amendment.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 2473, Int. No. 1548), entitled "An act to amend sections seven hundred and fifteen, ten hundred and

fifteen, nineteen hundred and forty-seven, twenty-seven hundred and twenty-five and twenty-seven hundred and twenty-eight of the Code of Civil Procedure, by adding matter relating to accountants," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1627, Int. No. 1371), entitled "An act to amend the Public Health Law, in relation to the practice of undertaking and embalming and the licensing of undertakers and embalmers," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1540, Int. No. 1309), entitled "An act to amend chapter four hundred and three of the Laws of nineteen hundred and three, entitled 'An act to create and establish a city court in and for the city of Cohoes, to provide for the appointment of the officers thereof, and to regulate the practice in said court,' in relation to the election and term of office of the city judge," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1000, Int. No. 901), entitled "An act to amend the Railroad Law, in relation to the revocation of the appointment of conductors and brakemen as policemen," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication was received from Hon. Otto Pfoff, mayor of the city of Oneida, returning Assembly bill (No. 2144, Int. No. 1343), entitled "An act to authorize the city of Oneida to provide for the removal of the bodies, monuments and gravestones from the old burial ground situate on the north side of Cemetery street east of the Elizabeth street school in said city, to provide a suitable place of reinterment of said bodies, reinter the same, reset the monuments and gravestones and acquire the title in fee to

such lands for playgrounds," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 16, Int. No. 16), entitled "An act to amend the Greater New York charter, by providing for an additional municipal court justice for the borough of the Bronx," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 1375, Int. No. 1165), entitled "An act to amend the Greater New York charter, in relation to advancing the date of return of arrears to the collector and the date for furnishing bills of arrears of taxes and assessments," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. J. S. Phillips of Allegany was excused until Monday, July 10th.

On motion of Mr. Oliver, and pursuant to concurrent resolution, the House adjourned until Wednesday, July 5th, at 8:30 o'clock P. M.

WEDNESDAY, JULY 5, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. A. E. Smith, the reading of the journal of Friday, June 30th, was dispensed with and the same was approved.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *June 30, 1911.*

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 1231), entitled "An act to amend the Liquor Tax Law, in relation to jurisdiction of courts of special sessions in the city and county of New York."

This bill amends the Liquor Tax Law and provides that in certain cases courts of special sessions shall not have jurisdiction to try persons charged with violation of the law but that such persons can only be tried after indictment by the grand jury. If I should approve this bill it would, in my judgment, seriously hamper the enforcement of the provisions of the Liquor Tax Law regarding the times of opening and closing places which are engaged in the sale of liquors. The result would be that the courts would be clogged with cases which should be summarily disposed of in the courts of special sessions.

For the reasons above stated I disapprove this bill.

JOHN A. DIX.

On motion of Mr. Hackett, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *June 30, 1911.*

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 1107), entitled "An act to amend the Public Health Law, in relation to statements in prescriptions by physicians."

I consider this unnecessary legislation, and therefore disapprove the bill.

JOHN A. DIX.

On motion of Mr. Turley, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *June 30, 1911.*

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 1989), entitled "An act to amend the Public Health Law, in

relation to the practice of undertaking and embalming, fixing the salary of the members and secretary of the Board of Embalming Examiners to be paid from the funds collected by said board."

The main purpose of this bill is to amend the law in relation to the salaries of the members of the Board of Embalming Examiners, and also to fix the salary of the secretary of such board. If these amendments were the only matters contained in the bill, I would not hesitate to give it my approval, but the bill provides further that the board shall have charge of the business of licensing undertakers and shall receive the fees provided for such purposes under another bill.

It has been decided by the Court of Appeals of this State that a person cannot be prohibited by an act of the Legislature from engaging in the business of undertaking. The companion bill to this, legalizing the acts of the board and validating all licenses issued by them after the decision of the Court of Appeals, is also before me.

For the reasons stated, I disapprove this bill.

JOHN A. DIX.

On motion of Mr. Foley, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, June 30, 1911.

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 2149, Senate Reprint No. 1837), entitled "An act to amend the Prison Law, in relation to the compensation of certain prison officers and employees."

If the revenues of the State were sufficient for the purpose, I would be glad to approve this bill. I have already returned without my approval a bill increasing the compensation of employees in the Women's Prison and in my memorandum accompanying that bill I stated that if the increased compensations were to apply to all the prisons, it would require an additional appropriation of over \$100,000. Owing to the condition of the State finances it is impossible to make the increase asked for and for that reason I disapprove this bill.

JOHN A. DIX.

On motion of Mr. Drummond, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *June 30, 1911.*

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 2382), entitled "An act to amend the Code of Civil Procedure, in relation to examinations in proceedings supplemental to execution."

I have already approved a bill amending this same section in a different manner than that provided by this bill. I cannot approve both bills, for the reason that if I should do so one would destroy the amendment made by the other. For that reason I disapprove this bill.

JOHN A. DIX.

On motion of Mr. Goodman, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *June 30, 1911.*

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 1844), entitled "An act to amend the Code of Civil Procedure, in relation to notice of sale of personal property."

This bill amends the Code of Civil Procedure, in relation to notice of sale of personal property. The bill is objected to for the reason that it is needlessly burdensome and adds new and unnecessary duties to the county clerks' offices without any compensating advantage; and also for the reason that it makes the sale of property under execution more cumbersome than under the existing law.

For these reasons I disapprove this bill.

JOHN A. DIX.

On motion of Mr. Goldstein, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, June 30, 1911.

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 2259), entitled "An act to amend the Code of Civil Procedure, in relation to contents of citation issued out of surrogate's court."

This bill is unnecessary. It does not add to or clarify the law as it now stands and I see no reason for enacting legislation which does not improve the existing law. For this reason I disapprove the bill.

JOHN A. DIX.

On motion of Mr. Hinman, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, June 30, 1911.

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 1612), entitled "An act to amend the County Law, in relation to the district attorney of the county of Queens, his powers, duties and office."

This bill provides for the addition of several assistants to the district attorney of Queens county, and fixes the salaries of such assistants on the basis of a minimum salary. No substantial reason is shown for the increase in offices or for the terms of compensation of the holders thereof on a minimum basis. I am opposed to unnecessary increase of offices, and I consider that the board of estimate and apportionment should not be limited in fixing the minimum salary.

For these reasons I disapprove the bill.

JOHN A. DIX.

On motion of Mr. Zorn, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, June 30, 1911.

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 1429), entitled "An act to amend the Public Officers Law, in

relation to holidays and the hours of certain employees of the State and the various civil subdivisions thereof, and the compensation therefor."

This bill attempts to regulate in detail the relations between the State, or the local governments thereof, with their employees. It is, in my judgment, a violation of the principle of home rule, and for that reason I disapprove the bill.

JOHN A. DIX.

On motion of Mr. Hoey, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, June 30, 1911.

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 1510), entitled "An act to amend the Liquor Tax Law, in relation to penalties for violation."

This bill amends the Liquor Tax Law by changing the penalties for certain illegal sales. Under the present law it is provided that certain offenses shall be punished by a fine of not less than \$200 nor more than \$1,200, and also by imprisonment in a county jail or penitentiary for a term of not less than thirty days nor more than one year. This bill changes the above provision so that the penalty shall be a fine of not less than \$300, or imprisonment in a county jail or penitentiary for a term of not more than six months, or both such fine and imprisonment. I am satisfied that this change is unwise. The salutary effect on a person violating the law, knowing that he will also be imprisoned, is one which, in my judgment, is most wholesome. To change this provision so that a violator would only be subject to a fine is not for the best interests of the people of the State and I therefore disapprove the bill.

JOHN A. DIX.

On motion of Mr. Washburn, said message together with said bill was ordered laid upon the table.

The Senate sent for concurrence the following entitled bills:

"An act to amend the State Finance Law, in relation to insuring publicity with respect to the demands upon the State, and to facilitate the legislative committees in dealing with questions of appropriation" (No. 2024, Rec. No. 494), which was read the first time and referred to the committee on ways and means.

"An act making an appropriation for highway improvement purposes" (No. 2048, Rec. No. 495), which was read the first time and referred to the committee on ways and means.

"An act to amend the Education Law, relative to the establishment of scholarships for the aid of students in colleges" (No. 1190, Rec. No. 496), which was read the first time and referred to the committee on public education.

"An act to amend chapter four hundred and forty-one of the Laws of eighteen hundred and ninety-nine, entitled 'An act to create a commissioner of jurors in the several counties of this State.' in relation to Nassau county" (No. 1997, Rec. No. 497), which was read the first time and referred to the committee on internal affairs.

"An act to legalize, ratify and confirm all the proceedings of the city of Hornell, and of its common council, boards, officers and agents, and the qualified resident taxpayers thereof, relative to the issue of the bonds of said city in the amount of eighty thousand dollars, for the purpose of purchasing the necessary lands and constructing thereon a storage reservoir in connection with its municipal water system, and for building an additional pipe from the filters to the city, and to authorize the issue thereof, and providing for the resale of said bonds in case of certain conditions" (No. 1873, Rec. No. 498), which was read the first time and referred to the committee on affairs of cities.

"An act to legalize, ratify and confirm all the proceedings of the city of Hornell, and of its common council, boards, officers and agents, and of its qualified resident taxpayers, relative to the issue of the bonds of said city in the amount of thirty-six thousand dollars, for the purpose of purchasing a site and building a central fire station, and authorizing the issue thereof, and providing for the resale of said bonds in case of certain conditions" (No. 1874, Rec. No. 499), which was read the first time and referred to the committee on affairs of cities.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Greater New York charter, so as to provide for a relief and pension fund for the benefit of the mem-

bers of the clerical and uniformed forces of the department of street cleaning." (No. 2560, Rec. No. 744.)

"An act to amend the Liquor Tax Law, in relation to obstructions in windows." (No. 2567, Int. No. 1123.)

"An act to amend chapter six hundred and eighty-five of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the department of public safety of the city of Syracuse.' " (No. 2565, Int. No. 1793.)

"An act to authorize the comptroller of the city of New York to cancel certain assessments on real property for the improvement of Grand street, in the borough of Brooklyn, from Hooper street to Bridge plaza, and to provide for the refunding of such assessments heretofore paid." (No. 2564, Int. No. 872.)

"An act to amend the Military Law, in relation to the military secretary to the Governor." (No. 605, Int. No. 104.)

"An act modifying the powers of the Commission in Lunacy, boards of managers and officers of the State hospitals." (No. 2548, Int. No. 1895.)

"An act to amend the Railroad Law, in relation to the repairs of streets by street railway companies." (No. 2549, Int. No. 1880.)

"An act to amend the Election Law, in relation to the designation of places for registry and voting." (No. 2550, Int. No. 1639.)

"An act making an appropriation for highway improvement in expediting the building of State route number thirty-four." (No. 1442, Int. No. 1221.)

On motion of Mr. Bridenbecker, the committee on rules was instructed to report Assembly bill (No. 2199, Int. No. 1774), entitled "An act to amend the Forest, Fish and Game Law, in relation to the fee for issuing a hunting license," amended as follows:

Strike out in line 13 on page 2, the brackets and the word "ten" and insert after the word "license," in line 18 of page 2, the following: "and if a nonresident of the State and a taxpayer therein at the time of making such application shall pay to the clerk countersigning and issuing the licenses the sum of ten dollars together with the sum of fifty cents as a fee to the clerk."

Mr. Speaker, from the committee on rules, reported said bill amended as directed.

On motion of Mr. Bridenbecker, said bill was ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker announced the special order, being the bill (No. 2554, Int. No. 1918), entitled "An act to amend the Penal Law, in relation to traction engines and dangerous animals on the highways of cities and villages."

On motion of Mr. Martin, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 103

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Herrick J J | McKeon | Smith A E |
| Ahern | Drummond | Herrick W R | Merritt | Stivers |
| Beach | Egan | Hinman | Miller | Sweet |
| Plauvelt | Farrell | Hoey | Myers | Talmage |
| Boylan | Fay | Hoff | Neupert | Thorn |
| Brace | Filley | Hollmann | Nolan | Trombly |
| Brereton | Fitzpatrick | Hoyt | Oliver | Turley |
| Bridenbecker | Foley | Huber | O'Neill J J | Walker |
| Brooks | Geatons | Jameson | O'Neil M A | Waring |
| Brown | Gerhardt | Jones | Pappert | Warren |
| Bryant | Goldstein | Kennedy | Parker A | Washburn |
| Bush | Goodman | Keys | Patrie | Waters F A |
| Carew | Goodwin | Lansing | Phillips C W | Waters R B |
| Caughlan | Gould | LaReau | Pierce | Weil |
| Collin | Graubard | Levy A J | Schifferdecker | Wende |
| Connell | Gregg | Levy J | Seeley | Wheeler |
| Cconstantine | Gurnett | Manley | Shannon | Wilson |
| Cuvillier | Hackett | Martin | Sheide | Winters |
| Dawson | Haines | McCue | Shepardson | Yeomans |
| Day | Hart | McDaniels | Shortt | Zorn |
| DeLano | Hearn | McElligott | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1286, Assembly Reprint No. 2557, Rec. No. 396), en-

titled "An act to amend section fifty-five of chapter four hundred and eleven of the Laws of nineteen hundred and seven, entitled 'An act to amend chapter three of title five of part one of the Code of Criminal Procedure of the State of New York, entitled "the court of general sessions in the city and county of New York."'"

On motion of Mr. Foley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 103

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Herrick J J | McKeon | Smith A E |
| Ahern | Drummond | Herrick W R | Merritt | Stivers |
| Beach | Egan | Hinman | Miller | Sweet |
| Blauvelt | Farrell | Hoey | Myers | Talmage |
| Boylan | Fay | Hoff | Neupert | Thorn |
| Brace | Filley | Hollmann | Nolan | Trombly |
| Brereton | Fitzpatrick | Hoyt | Oliver | Turley |
| Bridenbecker | Foley | Huber | O'Neill J J | Walker |
| Brooks | Geatons | Jameson | O'Neil M A | Waring |
| Brown | Gerhardt | Jones | Pappert | Warren |
| Bryant | Goldstein | Kennedy | Parker A | Washburn |
| Bush | Goodman | Keys | Patrie | Waters F A |
| Cárew | Goodwin | Lansing | Phillips C W | Waters R B |
| Caughlan | Gould | LaReau | Pierce | Weil |
| Collin | Graubard | Levy A J | Schifferdecker | Wende |
| Connell | Gregg | Levy J | Seeley | Wheeler |
| Constantine | Gurnett | Manley | Shannon | Wilson |
| Cuvillier | Hackett | Martin | Sheide | Winters |
| Dawson | Haines | McCue | Shepardson | Yeomans |
| Day | Hart | McDaniels | Shortt | Zorn |
| DeLano | Hearn | McElligott | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 1813, Assembly Reprint No. 2558, Rec. No. 441), entitled "An act to authorize the electors of the village of Peekskill to vote upon a proposition for the construction of a building to be

used as a jail, police court and police headquarters and to acquire necessary lands, and to issue bonds for such purpose."

On motion of Mr. Young, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 103

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Herrick J J | McKeon | Smith A E |
| Ahern | Drummond | Herrick W R | Merritt | Stivers |
| Beach | Egan | Hinman | Miller | Sweet |
| Blauvelt | Farrell | Hoey | Myers | Talmage |
| Boylan | Fay | Hoff | Neupert | Thorn |
| Brace | Filley | Hollmann | Nolan | Trombly |
| Brereton | Fitzpatrick | Hoyt | Oliver | Turley |
| Bridenbecker | Foley | Huber | O'Neill J J | Walker |
| Brooks | Geatons | Jameson | O'Neil M A | Waring |
| Brown | Gerhardt | Jones | Pappert | Warren |
| Bryant | Goldstein | Kennedy | Parker A | Washburn |
| Bush | Goodman | Keys | Patrie | Waters F A |
| Carew | Goodwin | Lansing | Phillips C W | Waters R B |
| Caughlan | Gould | LaReau | Pierce | Weil |
| Collin | Graubard | Levy A J | Schifferdecker | Wende |
| Connell | Gregg | Levy J | Seeley | Wheeler |
| Constantine | Gurnett | Manley | Shannon | Wilson |
| Cuvillier | Hackett | Martin | Sheide | Winters |
| Dawson | Haines | McCue | Shepardson | Yeomans |
| Day | Hart | McDaniels | Shortt | Zorn |
| DeLano | Hearn | McElligott | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 1800, Rec. No. 360), entitled "An act to amend section eight of chapter four hundred and twelve of the Laws of nineteen hundred and seven, entitled 'An act providing for the court of general sessions of the city and county of New York, its judges and officers.'"

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 103

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Herrick J J | McKeon | Smith A E |
| Ahern | Drummond | Herrick W R | Merritt | Stivers |
| Beach | Egan | Hinman | Miller | Sweet |
| Blauvelt | Farrell | Hoey | Myers | Talmage |
| Boylan | Fay | Hoff | Neupert | Thorn |
| Brace | Filley | Hollmann | Nolan | Trombly |
| Brereton | Fitzpatrick | Hoyt | Oliver | Turley |
| Bridenbecker | Foley | Huber | O'Neill J J | Walker |
| Brooks | Geatons | Jameson | O'Neil M A | Waring |
| Brown | Gerhardt | Jones | Pappert | Warren |
| Bryant | Goldstein | Kennedy | Parker A | Washburn |
| Bush | Goodman | Keys | Patrie | Waters F A |
| Carew | Goodwin | Lansing | Phillips C W | Waters R B |
| Caughlan | Gould | LaReau | Pierce | Weil |
| Collin | Graubard | Levy A J | Schifferdecker | Wende |
| Connell | Gregg | Levy J | Seeley | Wheeler |
| Constantine | Gurnett | Manley | Shannon | Wilson |
| Cuvillier | Hackett | Martin | Sheide | Winters |
| Dawson | Haines | McCue | Shepardson | Yeomans |
| Day | Hart | McDaniels | Shortt | Zorn |
| DeLano | Hearn | McElligott | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1685, Rec. No. 357), entitled "An act to amend chapter five hundred and eighteen of the Laws of eighteen hundred and sixty-seven, entitled, 'An act to amend an act, entitled "An act to incorporate the village of White Plains,"' passed April third, eighteen hundred and sixty-six, in relation to the powers and duties of the village trustees, et cetera, and the acts amendatory thereof."

Said bill having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Tuesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 1937, Rec. No. 406), entitled "An act to grant to the city of Geneva all the interest of the people of the State of New York in certain lands under the waters or partly under the waters of Seneca lake."

Said bill having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Tuesday next.

The Senate bill (No. 22, Rec. No. 109) entitled "Concurrent resolution of the Senate and Assembly ratifying the proposed amendment to the Constitution of the United States, relating to taxes on incomes," having been announced for a second reading.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Tuesday next.

The bill (No. 2552, Int. No. 939) entitled "An act to amend the Military Law, in relation to pay and allowances," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 103

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|-----------|
| Adler | Donnelly | Herrick J J | McKeon | Smith A E |
| Ahern | Drummond | Herrick W R | Merritt | Stivers |
| Beach | Egan | Hinman | Miller | Sweet |
| Blauvelt | Farrell | Hoev | Myers | Talmage |
| Boylan | Fay | Hoff | Neupert | Thorn |
| Brace | Filley | Hollmann | Nolan | Trombly |
| Brereton | Fitzpatrick | Hoyt | Oliver | Turley |
| Bridenbecker | Foley | Huber | O'Neill J J | Walker |
| Brooks | Geatons | Jameson | O'Neil M A | Warren |
| Brown | Gerhardt | Jones | Pappert | Waring |
| Bryant | Goldstein | Kennedy | Parker A | Washburn |

| | | | | |
|-------------|----------|------------|----------------|------------|
| Bush | Goodman | Keys | Patrie | Waters F A |
| Carew | Goodwin | Lansing | Phillips C W | Waters R B |
| Caughlan | Gould | LaReau | Pierce | Weil |
| Collin | Graubard | Levy A J | Schifferdecker | Wende |
| Connell | Gregg | Levy J | Seeley | Wheeler |
| Constantine | Gurnett | Manley | Shannon | Wilson |
| Cuvillier | Hackett | Martin | Sheide | Winters |
| Dawson | Haines | McCue | Shepardson | Yeomans |
| Day | Hart | McDaniels | Shortt | Zorn |
| DeLano | Hearn | McElligott | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

The bill (No. 2553, Int. No. 1792) entitled "An act to amend chapter one hundred and sixteen of the Laws of eighteen hundred and ninety-seven, entitled 'An act to make the office of county clerk of Washington county a salaried office, and regulating the management of said office,' and the acts amendatory thereof," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 103

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Herrick J J | McKeon | Smith A E |
| Ahern | Drummond | Herrick W R | Merritt | Stivers |
| Beach | Egan | Hinman | Miller | Sweet |
| Blauvelt | Farrell | Hoey | Myers | Talmage |
| Boylan | Fay | Hoff | Neupert | Thorn |
| Brace | Filley | Hollmann | Nolan | Trombly |
| Brereton | Fitzpatrick | Hoyt | Oliver | Turley |
| Bridenbecker | Foley | Huber | O'Neill J J | Walker |
| Brooks | Geatons | Jameson | O'Neil M A | Waring |
| Brown | Gerhardt | Jones | Pappert | Warren |
| Bryant | Goldstein | Kennedy | Parker A | Washburn |
| Bush | Goodman | Keys | Patrie | Waters F A |
| Carew | Goodwin | Lansing | Phillips C W | Waters R B |
| Caughlan | Gould | LaReau | Pierce | Weil |
| Collin | Graubard | Levy A J | Schifferdecker | Wende |
| Connell | Gregg | Levy J | Seeley | Wheeler |
| Constantine | Gurnett | Manley | Shannon | Wilson |
| Cuvillier | Hackett | Martin | Sheide | Winters |
| Dawson | Haines | McCue | Shepardson | Yeomans |
| Day | Hart | McDaniels | Shortt | Zorn |
| DeLano | Hearn | McElligott | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

The bill (No. 2544, Int. No. 1336) entitled "An act to amend the Labor Law, in relation to mercantile establishments," having been announced for a third reading,

On motion of Mr. Lansing, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 3, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1213, Int. No. 1048), entitled "An act making an appropriation for a portion of the cost of a bridge to be constructed by the city of Fulton over the Oswego river and barge canal, at such city, and regulating such construction."

JOHN A. DIX.

Said bill having been announced,

Mr. Sweet moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 103

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|-----------|
| Adler | Donnelly | Herrick J J | McKeon | Smith A E |
| Ahern | Drummond | Herrick W R | Merritt | Stivers |
| Beach | Egan | Hinman | Miller | Sweet |
| Blauvelt | Farrell | Hoey | Myers | Talmage |
| Boylan | Fay | Hoff | Neupert | Thorn |
| Brace | Filley | Hollmann | Nolan | Trombly |
| Brereton | Fitzpatrick | Hoyt | Oliver | Turley |
| Bridenbecker | Foley | Huber | O'Neill J J | Walker |

| | | | | |
|-------------|-----------|------------|----------------|------------|
| Brooks | Geatons | Jameson | O'Neil M A | Waring |
| Brown | Gerhardt | Jones | Pappert | Warren |
| Bryant | Goldstein | Kennedy | Parker A | Washburn |
| Bush | Goodman | Keys | Patrie | Waters F A |
| Carew | Goodwin | Lansing | Phillips C W | Waters R B |
| Caughlan | Gould | LaReau | Pierce | Weil |
| Collin | Graubard | Levy A J | Schifferdecker | Wende |
| Connell | Gregg | Levy J | Seeley | Wheeler |
| Constantine | Gurnett | Manley | Shannon | Wilson |
| Cuvillier | Hackett | Martin | Sheide | Winters |
| Dawson | Haines | McCue | Shepardson | Yeomans |
| Day | Hart | McDaniels | Shortt | Zorn |
| DeLano | Hearn | McElligott | | |

Mr. Sweet moved that said bill be recommitted to the committee on ways and means, with instructions to report the same forthwith, amended as follows:

Strike out of the title everything after the words "An act" and insert in place thereof the following: "to provide for the construction of a bridge over the barge canal at the city of Fulton, and making an appropriation therefor."

Page 1, strike out lines 1 to 8, inclusive, and insert in place thereof the following:

"Section 1. The Superintendent of Public Works is hereby authorized and directed to construct a reinforced concrete arch bridge over the barge canal at the city of Fulton, which, with the eastern approach thereto, shall extend westerly from the west line of South First street along Broadway to the easterly bank of the barge canal and over such barge canal, terminating at the elevation of and to connect with a proposed bridge to be built by the city of Fulton over the Oswego river, in such manner as to form, with the bridge to be constructed by said city, one continuous bridge over said canal and river; but the span and approaches constructed under the provisions of this act shall, when constructed, be under the supervision, care and control of the State in the same manner as other bridges over the barge canal. The bridge hereby authorized to be constructed may, if the Superintendent of Public Works so determines, be supported at the westerly end of the span over said canal by the abutment to be constructed by said city for the easterly end of its said bridge; and the board of public works of said city is authorized to consent to the use of such abutment by the State for the purpose aforesaid. Such bridge shall be constructed according to plans and specifications to be furnished by the State Engineer and Surveyor. For the purposes aforesaid the sum of fifty thousand dollars (\$50,000), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the State treasury not otherwise appropriated, to be paid out by the State Treasurer upon the warrant of the

Comptroller to the order of the Superintendent of Public Works, upon vouchers approved by him; but no part of the money hereby appropriated shall become available, except for plans and specifications and advertising for bids, until a contract for the construction of such bridge within the amount of the appropriation shall have been entered into by the Superintendent of Public Works."

Page 2, strike out lines 1 to 26, inclusive.

Page 3, strike out lines 1 to 7, inclusive.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. A. E. Smith, from the committee on ways and means, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Shortt offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur). That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1133, Int. No. 1007), entitled "An act to amend the Tax Law, relative to the making of special franchise valuations by the State Board of Tax Commissioners," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *June 30, 1911.*

Resolved (if the Assembly concur), That a joint committee of the Legislature, consisting of two members of the Senate to be appointed by the President of the Senate and three members of the Assembly to be appointed by the Speaker of the Assembly, is hereby constituted a committee for the purpose of investigating and considering all matters pertaining to the subject of water storage and the conservation, development, utilization and distribution of water power within the State; and to report its conclusions to the next session of the Legislature on or before the first day of February, nineteen hundred and twelve; and recommend such proposed legislation and amendments to the Constitution as in the judgment of the committee will best conserve the interests of the State; and be it further

Resolved, That the President of the Senate and the Speaker of the Assembly, in behalf of the Senate and Assembly, respectively, be authorized to fill such vacancies as may occur in the membership of the committee; and that the committee be authorized to sit during the recess of the Legislature outside of the city of Albany; that the committee be authorized and empowered to subpoena and compel the attendance of witnesses, including public officers and employees, and the production of books and papers, including public records and documents; to administer oaths; take proof and testimony, employ counsel, and expert witnesses and examiners, stenographers and other necessary assistants; and have all of the powers, usual or incident to legislative committees, including the adoption of rules for the conduct of its proceedings; and be it further

Resolved, That the actual and necessary expenses of the committee in carrying out the provisions of this resolution, not exceeding the sum of twenty thousand dollars, be paid from the moneys appropriated for the contingent expenses of the Legislature by the Treasurer on the warrant of the Comptroller and the certificate of the chairman of the committee.

By order of the Senate,

PATRICK E. McCABE,

Clerk.

which was referred to the committee on rules.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *July 5, 1911.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 1721, Rec. No. 404), entitled "An act to amend the State Finance Law, in relation to the deposit of State moneys," for the purpose of amendment.

By order of the Senate,

PATRICK E. McCABE,

Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly has concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *July 5, 1911.*

Resolved (if the Assembly concur), That Senate bill (No. 1352, Rec. No. 260), entitled "An act to amend the Greater New York charter, in relation to the powers of the police department to permit the giving of entertainments in certain places," be returned to the Governor.

By order of the Senate,
PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly has concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1133, Int. No. 1007), entitled "An act to amend the Tax Law, relative to the making of special franchise valuations by the State Board of Tax Commissioners," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication was received June 30th from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 1365, Int. No. 1155), entitled "An act to amend the Greater New York charter, in relation to the jurisdiction of the department of street cleaning as to the removal or disposal of ashes from the docks of Blackwell's and Randall's islands," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Otto Pfoff, mayor of the city of Oneida, returning Assembly bill (No. 2087, Senate Reprint No. 1959, Int. No. 1314), entitled "An act to revise, consolidate and amend generally chapter two hundred and twenty-five of the Laws of nineteen hundred and one, known as 'the charter of the city of Oneida,' and the several acts amendatory

thereof, and repealing certain acts," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Louis Van Hoesen, mayor of the city of Hudson, returning Assembly bill (No. 2346, Int. No. 1896), entitled "An act to amend the charter of the city of Hudson, in relation to increasing the number of police patrolmen and the salaries of the chief of police, sergeant and patrolmen in said city," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2039, Int. No. 1379), entitled "An act to amend the Greater New York charter, in relation to the board of inebriety," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 1715, Int. No. 1439), entitled "An act to amend the Greater New York charter, in relation to the preparation, adoption and certification of public maps and plans," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 1155, Int. No. 897), entitled "An act to amend the Greater New York charter, relative to the fixing, determining upon and establishing line of high water and relative to the sale and exchange of lands and lands under water in connection therewith," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Wm. J. Gaynor,

mayor of the city of New York, returning Assembly bill (No. 2429, Int. No. 1932), entitled "An act to authorize the city of New York and the village of Brewster, Putnam county, New York, to enter into a contract or agreement to provide for the disposal of the sewage of said village and to allow the city of New York to acquire such lands as may be necessary in and about said village, and to raise funds to carry said contract or agreement into effect," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2449, Int. No. 1949), entitled "An act to authorize the city of New York to enter into a contract or contracts with the Brooklyn Institute of Arts and Sciences, for the establishment, maintenance, continuance or development and extension of a museum of arts and sciences and libraries and branch museums on park lands in the city of New York, boroughs of Brooklyn and Queens, and to provide for the equipment, care and maintenance of the same," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 892, Int. No. 802), entitled "An act to amend the Greater New York charter, relative to proceedings taken by commissioner of docks," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2392, Int. No. 1913), entitled "An act to amend chapter six hundred and ninety-six of the Laws of eighteen hundred and eighty-seven, entitled 'An act to provide hospitals, orphan asylums and other charitable institutions in the city of New York with water and remitting assessments therefor,' in relation to exempting real estate owned by an institution for medical research in New York city from all charges, liens and assessments for use of

water," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2499, Int. No. 983), entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to the chief clerk of the court of special sessions," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2218, Senate Reprint No. 1935, Int. No. 1789), entitled "An act to amend the Greater New York charter, in relation to the payment of the cost of certain public improvements," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Louis P. Fuhrmann, mayor of the city of Buffalo, returning Assembly bill (No. 2121, Int. No. 1710), entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' with regard to the election and qualification of judges of said court," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Louis P. Fuhrmann, mayor of the city of Buffalo, returning Assembly bill (No. 1514, Int. No. 1284), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to power of board of police to grant leave of absence," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Louis P. Fuhrmann, mayor of the city of Buffalo, returning Assembly bill (No. 2414, Int. No. 1824), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to establishing the children's court of Buffalo, defining its powers and jurisdiction and providing for its officers," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Louis P. Fuhrmann, mayor of the city of Buffalo, returning Assembly bill (No. 2141, Int. No. 1808), entitled "An act to amend an act, entitled 'An act to extend the time within which the International Railway Company and the Crosstown Street Railway Company of Buffalo shall complete their railroads in the city of Buffalo, and begin the operation of same beyond their present construction and operation,'" with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Louis P. Fuhrmann, mayor of the city of Buffalo, returning Assembly bill (No. 2167, Int. No. 1745), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relative to actions or proceedings affecting taxes, assessments or tax sales," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John K. Sague, mayor of the city of Poughkeepsie, returning Assembly bill (No. 2312, Int. No. 1874), entitled "An act to amend chapter thirty-five of the Laws of nineteen hundred and two, entitled 'An act creating a city court in and for the city of Poughkeepsie, New York,' in relation to the salaries of city judge and clerk of the city court," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John K. Sague, mayor of the city of Poughkeepsie, returning Assembly bill (No. 1832, Int. No. 1025), entitled "An act to amend chapter four hundred and twenty-five of the Laws of eighteen hundred and ninety-six, entitled 'An act to amend the charter of the city of Poughkeepsie,' generally," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John K. Sague, mayor of the city of Poughkeepsie, returning Assembly bill (No. 1150, Int. No. 1024), entitled "An act to amend chapter six hundred and forty-three of the Laws of nineteen hundred and seven, entitled 'An act to establish a police pension fund for the city of Poughkeepsie,' in relation to the investment of the police pension fund and to provide for additional sources of income for said fund, and for a treasurer's bond," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. A. E. Smith, the House adjourned.

THURSDAY, JULY 6, 1911.

The House met pursuant to adjournment.

Mr. A. E. Smith in the chair.

Prayer by Rev. Creighton R. Storey.

On motion of Mr. Foley, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker announced the special order, being the Senate bill (No. 1856, Assembly Reprint No. 2561, Rec. No. 343), entitled "An act to amend the Penal Law, in relation to false or misleading advertisements or statements as to or in connection with the sale of real estate."

Said bill having been announced for a second reading,

On motion of Mr. Foley, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Friday next.

The bill (No. 2559, Int. No. 1915) entitled "An act directing the board of estimate and apportionment of the city of New York, in its discretion, to cancel certain assessments on real property in the borough of Brooklyn, and refund assessments heretofore paid, and assess the same on the borough of Brooklyn," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 90

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cross | Graubard | Manley | Shepardson |
| Ahern | Cuvillier | Gregg | Martin | Shortt |
| Beach | Dawson | Gurnett | McCue | Smith A E |
| Blauvelt | Day | Haines | McKeon | Stivers |
| Boylan | DeLano | Hart | Miller | Sweet |
| Brace | Donnelly | Hearn | Myers | Talmage |
| Brereton | Drummond | Herrick J J | Neupert | Terry |
| Bridenbecker | Ebbetts | Hoey | Oliver | Thorn |
| Brooks | Egan | Hoff | O'Neill J J | Trombly |
| Brown | Farrell | Hoyt | O'Neil M A | Turley |
| Bryant | Fay | Huber | Pappert | Walker |
| Bush | Filley | Jackson | Parker A | Waters R B |
| Butler | Fitzpatrick | Jameson | Patrie | Weil |
| Carew | Foley | Jones | Pierce | Wheeler |
| Cheney | Geatons | Kennedy | Schifferdecker | Wilson |
| Coffey | Gerhardt | Keys | Seeley | Winters |
| Connell | Goodman | Lansing | Shannon | Yeomans |
| Constantine | Gould | LaReau | Sheide | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

The bill (No. 2560, Int. No. 744) entitled "An act to amend the Greater New York charter, so as to provide for a relief and pension fund for the benefit of the members of the clerical and

uniformed forces of the department of street cleaning," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 90

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cross | Graubard | Manley | Shepardson |
| Ahern | Cuvillier | Gregg | Martin | Shortt |
| Beach | Dawson | Gurnett | McCue | Smith A E |
| Blauvelt | Day | Haines | McKeon | Stivers |
| Boylan | DeLano | Hart | Miller | Sweet |
| Brace | Donnelly | Hearn | Myers | Talmage |
| Brereton | Drummond | Herrick J J | Neupert | Terry |
| Bridenbecker | Ebbetts | Hoey | Oliver | Thorn |
| Brooks | Egan | Hoff | O'Neill J J | Trombly |
| Brown | Farrell | Hoyt | O'Neil M A | Turley |
| Bryant | Fay | Huber | Pappert | Walker |
| Bush | Filley | Jackson | Parker A | Waters R B |
| Butler | Fitzpatrick | Jameson | Patrie | Weil |
| Carew | Foley | Jones | Pierce | Wheeler |
| Cheney | Geatons | Kennedy | Schifferdecker | Wilson |
| Coffey | Gerhardt | Keys | Seeley | Winters |
| Connell | Goodman | Lansing | Shannon | Yeomans |
| Constantine | Gould | LaReau | Sheide | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, June 30, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1000, Int. No. 961), entitled "An act to amend the Railroad Law, in relation to the revocation of the appointment of conductors and brakemen as policemen."

JOHN A. DIX.

Said bill having been announced,

Mr. Patrie moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 90

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cross | Graubard | Manley | Shepardson |
| Ahern | Cuvillier | Gregg | Martin | Shortt |
| Beach | Dawson | Gurnett | McCue | Smith A E |
| Blauvelt | Day | Haines | McKeon | Stivers |
| Boylan | DeLano | Hart | Miller | Sweet |
| Brace | Donnelly | Hearn | Myers | Talmage |
| Brereton | Drummond | Herrick J J | Neupert | Terry |
| Bridenbecker | Ebbetts | Hoev | Oliver | Thorn |
| Brooks | Egan | Hoff | O'Neill J J | Trombly |
| Brown | Farrell | Hoyt | O'Neil M A | Turley |
| Bryant | Fay | Huber | Pappert | Walker |
| Bush | Filley | Jackson | Parker A | Waters R B |
| Butler | Fitzpatrick | Jameson | Patrie | Weil |
| Carew | Foley | Jones | Pierce | Wheeler |
| Cheney | Geatons | Kennedy | Schifferdecker | Wilson |
| Coffey | Gerhardt | Keys | Seeley | Winters |
| Connell | Goodman | Lansing | Shannon | Yeomans |
| Constantine | Gould | LaReau | Sheide | Zorn |

Mr. Patrie moved that said bill be recommitted to the committee on railroads, with instructions to report the same forthwith, amended as follows:

Page 2, between lines 8 and 9, insert, in italics, the following: "The post-office address of the person appointed shall appear in the commission, and whenever such address is changed the person appointed shall file with the Governor a statement of the new address."

Page 2, line 23, after "appointed" and before the period insert, in italics, the following: ", and also to the person whose appointment is revoked, at his last post-office address as the same appears in the commission or the latest statement thereof on file. If such person thereafter, knowing of such revocation or having in any manner received notice thereof, exercises or attempts to exercise any of the powers of a policeman, under this section, he shall be guilty of a misdemeanor; and the filing and mailing of such notice, as above provided, shall be presumptive evidence that such person knew of the revocation."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Caughlan, from the committee on railroads, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *June 29, 1911.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2226, Int. No. 1797), entitled "An act making an appropriation for a portion of the cost of a bridge to be constructed by the towns of Schroepel and Lysander and the counties of Oswego and Onondaga over the Oswego river at Phoenix, New York, and regulating such construction."

JOHN A. DIX.

Said bill having been announced,

Mr. Sweet moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 90

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|------------|
| Adler | Cross | Graubard | Manley | Shepardson |
| Ahern | Cuvillier | Gregg | Martin | Shortt |
| Beach | Dawson | Gurnett | McCue | Smith A E |
| Blauvelt | Day | Haines | McKeon | Stivers |
| Boylan | DeLano | Hart | Miller | Sweet |
| Brace | Donnelly | Hearn | Myers | Talmage |
| Brereton | Drummond | Herrick J J | Neupert | Terry |
| Bridenbecker | Ebbetts | Hoey | Oliver | Thorn |
| Brooks | Egan | Hoff | O'Neill J J | Trombly |
| Brown | Farrell | Hoyt | O'Neil M A | Turley |
| Bryant | Fay | Huber | Pappert | Walker |
| Bush | Fillee | Jackson | Parker A | Waters R B |
| Butler | Fitzpatrick | Jameson | Patrie | Weil |
| Carew | Foley | Jones | Pierce | Wheeler |

| | | | | |
|-------------|----------|---------|----------------|---------|
| Cheney | Geatons | Kennedy | Schifferdecker | Wilson |
| Coffey | Gerhardt | Keys | Seeley | Winters |
| Connell | Goodman | Lansing | Shannon | Yeomans |
| Constantine | Gould | LaReau | Sheide | Zorn |

Mr. Sweet moved that said bill be recommitted to the committee on ways and means, with instructions to report the same forthwith, amended as follows:

Strike out of the title everything after the words "An act" and insert in place thereof the following: "to provide for the construction of a bridge by the State over a portion of the Oswego river at Phenix, in the county of Oswego, and making an appropriation therefor."

Page 1, strike out lines 1 to 8, inclusive, and insert in place thereof the following:

"Section 1. The Superintendent of Public Works is hereby authorized and directed to construct a reinforced concrete arch bridge over a portion of the Oswego river, along the site of the present bridge over such river at Phenix, in the county of Oswego, as follows: Beginning at or near the westerly bank of the barge canal, being the easterly bank of said river, at and with an abutment to be constructed under the provisions of this act and extending westerly along the site of said present bridge about two hundred and twenty feet, to consist of such abutment, three spans and two piers, and to terminate at the elevation of and to connect with a proposed bridge to be built westerly from the westerly end of such State bridge by the towns of Schroeppe and Lysander and the counties of Oswego and Onondaga. Such State bridge shall be built in such manner as to form, with the bridge to be constructed by said towns and counties and a bridge to be constructed by the State over the barge canal, one continuous bridge over said canal and river, and thereby furnishing access by the State from said canal to the State dams in said river; but the spans and their piers and abutments constructed under the provisions of this act shall, when constructed, be under the supervision, care and control of the State in the same manner and to the same extent as bridges over the barge canal. The bridge hereby authorized to be constructed may, if the Superintendent of Public Works so determines, and if the town boards, respectively, of the towns of Schroeppe and Lysander consent thereto to be supported at the westerly end of the westerly span of the bridge to be constructed under this act by the pier to be constructed by said towns and counties for the easterly end of their said bridge; and the town boards of said towns are authorized to consent to the use of such pier by the State for the purpose aforesaid. Such State bridge shall be constructed according to plans and specifications to be

furnished by the State Engineer and Surveyor. For the purposes aforesaid the sum of thirty thousand dollars (\$30,000), or so much thereof as may be necessary, is hereby appropriated, payable from the barge canal fund, so-called, consisting of the proceeds of bonds and abandoned canal lands sold pursuant to chapter one hundred and forty-seven of the Laws of nineteen hundred and three, and acts amendatory thereof, to be paid out by the State Treasurer upon the warrant of the Comptroller to the order of the Superintendent of Public Works, upon vouchers approved by him; but no part of the money hereby appropriated shall become available, except for plans and specifications and advertising for bids, until a contract for the construction of such bridge within the amount of the appropriation shall have been entered into by the Superintendent of Public Works."

Page 2, strike out lines 1 to 26, inclusive.

Page 3, strike out lines 1 to 5, inclusive.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. A. E. Smith, from the committee on ways and means, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

On motion of Mr. Ebbets, and by unanimous consent, the fact that he was unavoidably absent from the session of June 29th, and would if present have voted in the negative upon Senate bill No. 737, Rec. No. 82, was ordered spread upon the journal.

On motion of Mr. Foley, the House adjourned.

FRIDAY, JULY 7, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. Donnelly, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to amend the Town Law, in relation to the acquisition of land for town purposes" (No. 2036, Rec. No. 500), which was read the first time and referred to the committee on internal affairs.

"An act to improve the water-front facilities of the city of New York, in relation to the receipt, delivery and shipment of freight" (No. 2065, Rec. No. 501), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Transportation Corporations Law, by adding thereto an additional article, ten-a, providing for the incorporation of freight terminal companies" (No. 2066, Rec. No. 502), which was read the first time and referred to the committee on railroads.

"An act to amend the Prison Law, relative to the supply of articles manufactured in penal institutions" (No. 2068, Rec. No. 503), which was read the first time and referred to the committee on penal institutions.

"An act to amend the Greater New York charter, in relation to the compensation of repairing water meters in the borough of Queens" (No. 1226, Rec. No. 504), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the General Municipal Law, in relation to the acquisition of water rights in Westchester and Putnam counties" (No. 2082, Rec. No. 505), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Greater New York charter, in relation to the reinstatement of members of the police force retired for physical disability." (No. 1227, Rec. No. 506), which was read the first time and referred to the committee on affairs of cities.

"An act in relation to the office of the surrogates of the county of New York" (No. 2038, Rec. No. 507), which was read the first time and referred to the committee on internal affairs.

"An act to establish a commission to inquire into the prices, purity, production, distribution and consumption of food and food stuffs, farm and dairy produce in the State of New York and to suggest legislation with respect thereto and making an appropriation therefor" (No. 1935, Rec. No. 508), which was read the first time and referred to the committee on ways and means.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bill as correctly printed or engrossed:

"An act relating to conservation of land, forests, waters, parks, hydraulic power, fish and game, constituting chapter sixty-five of the Consolidated Laws." (No. 2571, Int. No. 488.)

Mr. Speaker announced the special order, being the bill (No. 2562, Int. No. 538), entitled "An act to amend chapter six hundred and forty-six of the Laws of nineteen hundred and five, entitled 'An act to provide for the construction and maintenance of a sanitary trunk sewer and a sanitary outlet sewer in the county of Westchester and to provide means for the payment therefor,' generally."

On motion of Mr. Haines, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 98

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|-------------|----------------|------------|
| Adler | Cuvillier | Hackett | McKeon | Smith A E |
| Ahern | Dawson | Hammond | Miller | Stivers |
| Beach | Day | Hearn | Myers | Sweet |
| Blauvelt | DeLano | Herrick J J | Neupert | Talmage |
| Boylan | Donnelly | Hinman | Nolan | Terry |
| Brace | Ebbetts | Hoey | Oliver | Thorn |
| Brereton | Egan | Hoff | O'Neill J J | Trombly |
| Bridenbecker | Evans | Hoyt | O'Neil M A | Turley |
| Brooks | Farrell | Huber | Pappert | Walker |
| Brown | Fay | Jackson | Parker A | Warren |
| Bryant | Filley | Jameson | Patrie | Washburn |
| Bush | Foley | Jones | Pierce | Waters F A |
| Butler | Geatons | Kennedy | Schifferdecker | Waters R B |
| Carew | Gerhardt | Keys | Seeley | Ward |
| Cheney | Goodman | Lansing | Shannon | Wheeler |
| Coffey | Goodwin | LaReau | Sheide | Wilson |
| Connell | Gould | Manley | Shepardson | Winters |
| Constantine | Graubard | Martin | Shlivek | Yeomans |
| Cosad | Gregg | McCue | Shortt | Zorn |
| Cross | Gurnett | McDaniels | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1351, Assembly Reprint No. 2563, Rec. No. 255), entitled

"An act to amend the Forest, Fish and Game Law, in relation to taking quail in Dutchess, Westchester, Putnam, Rockland and Ulster counties."

On motion of Mr. Yale, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 98

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|-------------|----------------|------------|
| Adler | Cuvillier | Hackett | McKeon | Smith A E |
| Ahern | Dawson | Hammond | Miller | Stivers |
| Beach | Day | Hearn | Myers | Sweet |
| Blauvelt | DeLano | Herrick J J | Neupert | Talmage |
| Boylan | Donnelly | Hinman | Nolan | Terry |
| Brace | Ebbetts | Hoey | Oliver | Thorn |
| Brereton | Egan | Hoff | O'Neill J J | Trombly |
| Bridenbecker | Evans | Hoyt | O'Neil M A | Turley |
| Brooks | Farrell | Huber | Pappert | Walker |
| Brown | Fay | Jackson | Parker A | Warren |
| Bryant | Filley | Jameson | Patrie | Washburn |
| Bush | Foley | Jones | Pierce | Waters F A |
| Butler | Geatons | Kennedy | Schifferdecker | Waters R B |
| Carew | Gerhardt | Keys | Seeley | Weil |
| Cheney | Goodman | Lansing | Shannon | Wheeler |
| Coffey | Goodwin | LaRue | Sheide | Wilson |
| Connell | Gould | Manley | Shepardson | Winters |
| Constantine | Graubard | Martin | Shlivek | Yeomans |
| Cosad | Gregg | McCue | Shortt | Zorn |
| Cross | Gurnett | McDaniels | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 1856, Assembly Reprint No. 2561, Rec. No. 343), entitled "An act to amend the Penal Law, in relation to false or misleading advertisements or statements as to or in connection with the sale of real estate."

Said bill having been announced for a second reading,

On motion of Mr. Oliver, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Tuesday next.

The bill (No. 2564, Int. No. 872) entitled "An act to authorize the comptroller of the city of New York to cancel certain assessments on real property for the improvement of Grand street in the borough of Brooklyn, from Hooper street to Bridge plaza, and to provide for the refunding of such assessments heretofore paid," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 98

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|-------------|----------------|------------|
| Adler | Cuvillier | Hackett | McKeon | Smith A E |
| Ahern | Dawson | Hammond | Miller | Stivers |
| Beach | Day | Hearn | Myers | Sweet |
| Blauvelt | DeLano | Herrick J J | Neupert | Talmage |
| Boylan | Donnelly | Hinman | Nolan | Terry |
| Brace | Ebbetts | Hoey | Oliver | Thorn |
| Brereton | Egan | Hoff | O'Neill J J | Trombly |
| Bridenbecker | Evans | Hoyt | O'Neil M A | Turley |
| Brooks | Farrell | Huber | Pappert | Walker |
| Bryant | Fay | Jackson | Parker A | Warren |
| Brown | Filley | Jameson | Patie | Washburn |
| Bush | Foley | Jones | Pierce | Waters F A |
| Butler | Geatons | Kennedy | Schifferdecker | Waters R B |
| Carew | Gerhardt | Keys | Seeley | Weil |
| Cheney | Goodman | Lansing | Shannon | Wheeler |
| Coffey | Goodwin | LaReau | Sheide | Wilson |
| Connell | Gould | Manley | Shepardson | Winters |
| Constantine | Graubard | Martin | Shlivek | Yeomans |
| Cosad | Gregg | McCue | Shortt | Zorn |
| Cross | Gurnett | McDaniels | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

The bill (No. 2565, Int. No. 1793) entitled "An act to amend chapter six hundred and eighty-five of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of

law relating to the department of public safety of the city of Syracuse,' " was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 98

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|-------------|----------------|------------|
| Adler | Cuvillier | Hackett | McKeon | Smith A E |
| Ahern | Dawson | Hammond | Miller | Stivers |
| Beach | Day | Hearn | Myers | Sweet |
| Elauvelt | DeLano | Herrick J J | Neupert | Talmage |
| Boylan | Donnelly | Hinman | Nolan | Terry |
| Brace | Ebbetts | Hoey | Olivier | Thorn |
| Brereton | Egan | Hoff | O'Neill J J | Trombly |
| Bridenbecker | Evans | Hoyt | O'Neil M A | Turley |
| Brooks | Farrell | Huber | Pappert | Walker |
| Brown | Fay | Jackson | Parker A | Warren |
| Bryant | Filley | Jameson | Patrie | Washburn |
| Bush | Foley | Jones | Pierce | Waters F A |
| Butler | Geatons | Kennedy | Schifferdecker | Waters R B |
| Carew | Gerhardt | Keys | Seeley | Weil |
| Cheney | Goodman | Lansing | Shannon | Wheeler |
| Coffey | Goodwin | LaReau | Sheide | Wilson |
| Connell | Gould | Manley | Shepardson | Winters |
| Constantine | Graubard | Martin | Shlivek | Yeomans |
| Cosad | Gregg | McCue | Shortt | Zorn |
| Cross | Gurnett | McDaniels | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

The bill (No. 2567, Int. No. 1123) entitled "An act to amend the Liquor Tax Law, in relation to obstructions in windows," having been annouced for a third reading,

On motion of Mr. Merritt, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The Senate returned Assembly bill (No. 2542, Senate Reprint No. 2147, Int. No. 1481), entitled "An act to amend the Election Law, generally."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned Assembly bill (No. 482, Int. No. 470),

entitled "An act to amend the Military Law, in relation to the use of armories by regular organizations of the National Scouts of the United States."

Also, Assembly bill (No. 2207, Int. No. 808), entitled "An act to amend the Code of Criminal Procedure, in relation to appointment of probation officers for the court of general sessions in the city and county of New York."

Also, Assembly bill (No. 2235, Int. No. 1406), entitled "An act to amend the Labor Law, in relation to scaffolding and the protection of employees in buildings in cities."

Also, Assembly bill (No. 1677, Int. No. 1400), entitled "An act to amend the Village Law, in relation to the registration of voters."

Also, Assembly bill (No. 2227, Int. No. 1798), entitled "An act to amend the Highway Law, in relation to State aid for towns in the building of highways."

Also, Assembly bill (No. 2165, Int. No. 1742), entitled "An act to increase the number of justices of the Supreme Court in the second judicial district of the State, and to provide for additional justices therein," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the mayor of New York city, requesting the return to the Senate of the Senate bill (No. 1780, Rec. No. 416), entitled "An act to amend chapter three hundred and thirty-six of the Laws of nineteen hundred and three, entitled 'An act to provide for the erection of a courthouse in the county of New York, and authorizing the acquisition of a site therefor,'" for the purpose of amendment.

By order,
PATRICK E. McCABE,
Clerk.

IN ASSEMBLY, *July 7, 1911.*

Concurred in without amendment.

By order,
LUKE McHENRY,
Clerk.

By unanimous consent, Mr. Donnelly called up Assembly bill (No. 2573, Int. No. 1248), entitled "An act to consolidate and revise the laws relating to the city of Lockport," now on the order of third reading.

Said bill having been announced,

Mr. Donnelly moved to recommit said bill to the committee on affairs of cities, with instructions to report the same forthwith, amended as follows:

Page 13, line 22, after "party" insert in italics the following: "Not more than two of the fire commissioners shall be members of the same political party."

Page 13, line 24, strike out everything after and including the word "All".

Page 14, strike out lines 1 to 8, inclusive.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Foley, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate returned Assembly bill (No. 2517, Int. No. 891), entitled "An act to incorporate the city of Beacon."

Also, Assembly bill (No. 1262, Int. No. 1090), entitled "An act to amend chapter two hundred and sixty-three of the Laws of nineteen hundred and five, entitled 'An act authorizing the town board of the town of Cortlandt to appropriate certain moneys to the Helping Hand Hospital Association of Peekskill, New York,' in relation to the amount which may be appropriated annually," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned Assembly bill (No. 768, Int. No. 12), entitled "An act to amend the Greater New York charter, relative to the powers and duties of the commissioner of street cleaning," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy of said bill to the mayor of the city of New York.

A communication was received from Hon. Chas. Zuckmaier, mayor of the city of Tonawanda, returning Assembly bill (No.

2024, Int. No. 1652), entitled "An act to amend chapter three hundred and fifty-seven of the Laws of nineteen hundred and five, entitled 'An act to revise the several acts relative to the city of Tonawanda,' generally," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Senate bill (No. 2064, Assembly Reprint No. 2571, Rec. No. 488), entitled "An act relating to conservation of land, forests, waters, parks, hydraulic power, fish and game, constituting chapter sixty-five of the Consolidated Laws," with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

On motion of Mr. A. E. Smith, the House adjourned.

MONDAY, JULY 10, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. A. E. Smith, the reading of the journal of Friday, July 7th, was dispensed with and the same was approved.

Mr. Jackson gives notice that he requests that the Senate bill introduced by Mr. Bayne (No. 1523, Rec. No. 302), entitled "An act to amend the Penal Law, in relation to penalties for violations of the Labor Law," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Jackson gives notice that he requests that the Senate bill introduced by Mr. Loomis (No. 546, Rec. No. 369), entitled "An act to amend the Religious Corporations Law, in relation to the qualification of voters," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Chanler gives notice that he requests that the Senate bill introduced by Mr. Roosevelt (No. 2007, Rec. No. 481), entitled "An act to amend chapter forty-seven of the Laws of eighteen hundred and eighty-eight, entitled 'An act to incorporate the Laura Franklin Free Hospital for Children in the city of New York,' in relation to the membership, powers and duties of the board of trustees of such corporation," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Donnelly gives notice that he requests that the Senate bill introduced by Mr. Black (No. 1961, Rec. No. 449), entitled "An act to amend section one hundred of chapter six hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act in relation to the inferior courts of criminal jurisdiction in the city of New York, defining their powers and jurisdiction and providing for their officers,'" a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Donnelly gives notice that he requests that the Senate bill introduced by Mr. Black (No. 1848, Rec. No. 448), entitled "An act to amend the Code of Civil Procedure, in relation to permitting justices of the peace and magistrates of cities of the State of New York to take oaths and acknowledgments," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Frawley (No. 1468, Rec. No. 468), entitled "An act to amend the Code of Criminal Procedure, in relation to fees of witnesses in behalf of the people," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Harte (No. 491, Rec. No. 200), entitled "An act making an appropriation for the payment to Frederick

Skene of money to reimburse him for liability incurred while State Engineer and Surveyor, in receiving moneys from the automobile manufacturers' committee as indemnity for damages to State highways and for expenses incurred in connection therewith," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Wende gives notice that he requests that the Senate bill introduced by Mr. Burd (No. 1930, Rec. No. 398), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section seven, article seven, of the Constitution, in relation to storage reservoirs and hydraulic developments in the forest preserve," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. McClelland (No. 2082, Rec. No. 505), entitled "An act to amend the General Municipal Law, in relation to the acquisition of water rights in Westchester and Putnam counties," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Stilwell (No. 1113, Rec. No. 379), entitled "An act to amend the Education Law, in relation to the libraries of the Supreme Court and the Appellate Division in the first department," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Gittins (No. 1909, Rec. No. 478), entitled "An act to amend the Education Law, relative to compulsory education of blind children," a copy of which is hereto annexed,

be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Shortt gives notice that he requests that the Senate bill introduced by Mr. Bayne (No. 1999, Rec. No. 464), entitled "An act to amend chapter three hundred and ninety-two of the Laws of eighteen hundred and ninety-six, entitled 'An act to regulate the commitment and discharge of certain prisoners, tramps and vagrants in Richmond county, and to prescribe the effect thereof, to provide for the support of the prisoners in the jail in the county of Richmond, and to fix the duties and compensation of the sheriff of said county and of employees in the jail of said county,' generally," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Donnelly gives notice that he requests that Assembly bill (No. 958, Int. No. 867), entitled "An act to amend chapter seven hundred and six of the Laws of nineteen hundred and one, entitled 'An act to make the office of register of the county of Kings a salaried office and regulating the management of said office,' in relation to the compensation and duties of the register," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *July 8, 1911.*

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 2375), entitled "An act to amend the Insurance Law, as it defines agents and brokers, and by providing for the issuance of certificates of authority to agents of underwriters, incorporated, and to insurance brokers, and by providing that commissions shall be paid to licensed agents and brokers only."

This bill provides for the issuance of certificates of authority to certain insurance agents and brokers, and has the laudable

object of preventing rebates and systematizing the agency and brokerage side of the insurance business. It provides that section 50-a shall not apply to life insurance nor to any contract of insurance upon or in connection with marine or transportation risks or hazards. It also provides that the prohibition of agents acting for any underwriters shall apply only upon property or risks located within this State, unless the insurer shall have complied with the regulatory provisions of the Insurance Law.

The effect of these provisions upon the business of marine insurance has been closely disputed before me, and the bill is opposed by the Superintendent of Insurance. It seems clear, however, that there are a number of insurance companies, both domestic and foreign, in this State doing a marine underwriting business and subject to the provisions of the Insurance Law, and that the objects of the clauses of this act affecting marine insurance are intended, in some way and to some extent, to legalize the business of foreign companies not subjected to the laws of this State, and in competition with companies which are so subject.

It may well be that, owing to the peculiar nature of marine insurance, our laws in that respect should be recast so as to increase the commerce of our ports, by facilitating the procuring of marine insurance, in every way possible. I do not consider, however, that this subject should be treated as part of a bill primarily regulating the position of agents and brokers of fire insurance companies, and I consider that the important subject of marine insurance should have special treatment of its own after due consideration.

For these reasons I disapprove the bill.

JOHN A. DIX.

On motion of Mr. Hoey, said message together with said bill was laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *July 10, 1911.*

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 2473), entitled "An act to amend sections seven hundred and fifteen, ten hundred and fifteen, nineteen hundred and forty-seven, twenty-seven hundred and twenty-five and twenty-seven hundred and twenty-eight of the Code of Civil Procedure, by adding matter relating to accountants."

This bill is special legislation for a particular class of persons and is entirely unnecessary. Judicial officers already have sufficient powers to employ accountants. The bill is opposed by the committee on the amendment of the law of the city of New York and by the County Lawyers' Association. No good and sufficient reason has been received in behalf of the bill, which in my judgment would justify its approval.

I, therefore, disapprove the bill.

JOHN A. DIX.

On motion of Mr. M. A. O'Neil, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 10, 1911.

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 169, Senate Reprint No. 1954), entitled "An act to amend the Public Service Commissions Law, in relation to transportation of passengers at reduced rates, in certain cases."

Subdivision 3 of section 33 of chapter 480 of the Laws of 1910 has been heretofore amended by chapter 546 of the Laws of 1911. I cannot approve this bill for the reason that it would destroy such former amendment and for that reason, the bill is disapproved.

JOHN A. DIX.

On motion of Mr. Kopp, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 8, 1911.

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 1648), entitled "An act to amend the Penal Law, relative to sentences for murder in the first degree which have been commuted to life imprisonment."

The purpose of this bill is to amend the Penal Law by providing that a person convicted of murder in the first degree, who

has received commutation of his death sentence to that of imprisonment for life, shall then be eligible to parole as if he had been sentenced under an indeterminate sentence, with the minimum limit of twenty years.

To state it in a different form, it makes possible the absolute discharge of a murderer after twenty years' imprisonment.

I deem this amendment unwise and in my judgment it ought not to become a law. I, therefore, disapprove the bill.

JOHN A. DIX.

On motion of Mr. McGrath, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, July 8, 1911.

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 1950), entitled "An act to authorize the Comptroller of the State to hear and determine the application of Martin Feldhusen for the cancellation of the eighteen hundred and ninety tax sales of lot one hundred and twenty-six, map or page two, Middletown tax maps, Richmond county."

If the restrictions in the existing general law are unjust or operate unfairly, they should be amended so as to provide relief for those who suffer injury from illegal or defective tax sales. This relief should not, however, be granted by special acts but should apply to all in the same class.

For these reasons, I, therefore, disapprove the bill.

JOHN A. DIX.

On motion of Mr. Shortt, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, July 8, 1911.

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 894), entitled "An act to amend the Penal Law, in relation to enticing inmates from certain State institutions."

The purpose of this bill is to provide for punishing persons enticing inmates from certain institutions. The institutions covered by the bill are the Rome State Custodial Asylum and the State Custodial Asylum for Feeble-Minded Women or of the Syracuse Institution for Feeble-Minded Children.

If the law in relation to punishments for enticing people from institutions is to be amended, it should in my judgment apply to every institution in the State.

I, therefore, disapprove the bill.

JOHN A. DIX.

On motion of Mr. Hammond, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *July 8, 1911.*

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 2256), entitled "An act to authorize the Bowery Mission and Young Men's Home to acquire property by devise and bequest."

This bill is special legislation. If it is desirable that the existing general laws should be changed in relation to bequests to charitable corporations, suitable amendments should be made to such existing general laws.

I understand that there is now in the Legislature a bill changing the general law in this respect and for these reasons I disapprove this bill.

JOHN A. DIX.

On motion of Mr. Oliver, said message together with said bill was ordered laid upon the table.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Bayne (No. 1523, Rec. No. 302), entitled "An act to amend the Penal Law, in relation to penalties for violations of the Labor Law."

Also, Senate bill introduced by Mr. Loomis (No. 546, Rec. No. 369), entitled "An act to amend the Religious Corporations Law, in relation to the qualification of voters."

Also, Senate bill introduced by Mr. Roosevelt (No. 2007, Rec. No. 481), entitled "An act to amend chapter forty-seven of the

Laws of eighteen hundred and eighty-eight, entitled 'An act to incorporate the Laura Franklin Free Hospital for Children in the city of New York,' in relation to the membership, powers and duties of the board of trustees of such corporation."

Also, Senate bill introduced by Mr. Black (No. 1961, Rec. No. 449), entitled "An act to amend section one hundred of chapter six hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act in relation to the inferior courts of criminal jurisdiction in the city of New York, defining their powers and jurisdiction and providing for their officers.'"

Also, Senate bill introduced by Mr. Black (No. 1848, Rec. No. 448), entitled "An act to amend the Code of Civil Procedure, in relation to permitting justices of the peace and magistrates of cities of the State of New York to take oaths and acknowledgments."

Also, Senate bill introduced by Mr. Frawley (No. 1468, Rec. No. 468), entitled "An act to amend the Code of Criminal Procedure, in relation to fees of witnesses in behalf of the people."

Also, Senate bill introduced by Mr. Harte (No. 491, Rec. No. 200), entitled "An act making an appropriation for the payment to Frederick Skene of money to reimburse him for liability incurred while State Engineer and Surveyor, in receiving moneys for the automobile manufacturers' committee as indemnity for damages to State highways and for expenses incurred in connection therewith."

Also, Senate bill introduced by Mr. Burd (No. 1930, Rec. No. 398), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section seven, article seven, of the Constitution, in relation to storage reservoirs and hydraulic developments in the forest preserve."

Also, Senate bill introduced by Mr. McClelland (No. 2082, Rec. No. 505), entitled "An act to amend the General Municipal Law, in relation to the acquisition of water rights in Westchester and Putnam counties."

Also, Senate bill introduced by Mr. Stilwell (No. 1113, Rec. No. 379), entitled "An act to amend the Education Law, in relation to the libraries of the Supreme Court and the Appellate Division in the first department."

Also, Senate bill introduced by Mr. Gittins (No. 1909, Rec. No. 478), entitled "An act to amend the Education Law, relative to compulsory education of blind children."

Also, Senate bill introduced by Mr. Bayne (No. 1999, Rec. No. 464), entitled "An act to amend chapter three hundred and ninety-two of the Laws of eighteen hundred and ninety-six, entitled 'An act to regulate the commitment and discharge of certain prisoners, tramps and vagrants in Richmond county, and to prescribe the effect thereof, to provide for the support of prisoners in the jail in the county of Richmond, and to fix the duties and compensation of the sheriff of said county and of certain employees in the jail of said county,' generally," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. M. A. O'Neil (No. 958, Int. No. 867), entitled "An act to amend chapter seven hundred and six of the Laws of nineteen hundred and one, entitled 'An act to make the office of register of the county of Kings a salaried office and regulating the management of said office,' in relation to the compensation and duties of the register," reported in favor of the passage of the same without amendment, and that the same be made a special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bill ordered made a special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bill as correctly printed or engrossed:

"An act to provide for the improvement of the Black River canal north of Boonville and for the repair of the structures

thereof, and making an appropriation therefor." (No. 2568, Int. No. 928.)

Mr. Speaker announced the special order, being the Senate bill (No. 1308, Assembly Reprint No. 2569, Rec. No. 432), entitled "An act to amend the General Business Law, constituting chapter twenty of the Consolidated Laws, in relation to the erection of the cinematograph or other apparatus for projecting moving pictures."

Said bill having been announced for a second reading,

On motion of Mr. Oliver, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Wednesday next.

Mr. Speaker announced the special order, being the bill (No. 2570, Int. No. 1006), entitled "An act to amend chapter five hundred and fifty-seven, Laws of eighteen hundred and ninety-four, entitled 'An act to provide for a commission of jurors in counties containing cities of from ninety to ninety-six thousand inhabitants,' in relation to excepting the county of Rensselaer from the operation thereof, and to terminate the office, powers and duties of the present commissioner of jurors in such county."

Said bill having been announced for a second reading,

On motion of Mr. Patrie, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Tuesday next.

Mr. Speaker announced the special order, being the bill (No. 2555, Int. No. 1583), entitled "An act to amend the Greater New York charter, in relation to push-cart peddlers and the powers of the board of aldermen and board of estimate and apportionment in respect thereto."

Said bill having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Wednesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 1523, Rec. No. 302), entitled "An act to amend the Penal Law, in relation to penalties for violations of the Labor Law."

Said bill having been announced for a third reading,

On motion of Mr. C. W. Phillips, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 546, Rec. No. 369), entitled "An act to amend the Religious Corporations Law, in relation to the qualification of voters."

On motion of Mr. Wende, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-----------|
| Adler | Day | Hart | McDaniels | Smith T K |
| Allen | DeLano | Hearn | McKeon | Stivers |
| Beach | Donnelly | Herrick J J | Merritt | Sweet |
| Blauvelt | Donovan | Herrick W R | Mork | Talmage |
| Brace | Egan | Hinman | Myers | Terry |
| Brennan | Evans | Hoe | Neupert | Thorn |
| Brereton | Farrell | Hoff | Nolan | Trombly |
| Bridenbecker | Fay | Hoyt | Oliver | Turley |
| Brown | Filley | Huber | Pappert | Walker |
| Bryant | Fitzpatrick | Jackson | Parker A | Waring |
| Bush | Foley | Jameson | Parker J S | Warren |
| Butler | Geatons | Jones | Patrie | Washburn |
| Carew | Gerhardt | Kennedy | Phillips C W | Weil |
| Cheney | Goodman | Keys | Pierce | Wende |
| Coffey | Goodwin | Lansing | Saunders | Wheeler |
| Collin | Gould | LaReau | Schifferdecker | White |
| Connell | Graubard | Levy A J | Seeley | Wilson |
| Constantine | Gregg | Lincoln | Shannon | Winters |
| Cosad | Gurnett | MacGregor | Sheide | Yale |
| Cross | Hackett | Manley | Shepardson | Yeomans |
| Cuvillier | Haines | Martin | Shlivek | Young |
| Dawson | Hammond | McCue | Smith A E | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2007, Rec. No. 481), entitled "An act to amend chapter

forty-seven of the Laws of eighteen hundred and eighty-eight, entitled 'An act to incorporate the Laura Franklin Free Hospital for Children in the city of New York,' in relation to the membership, powers and duties of the board of trustees of such corporation."

On motion of Mr. Chanler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-----------|
| Adler | Day | Hart | McDaniels | Smith T K |
| Allen | DeLano | Hearn | McKeon | Stivers |
| Beach | Donnelly | Herrick J J | Merritt | Sweet |
| Blauvelt | Donovan | Herrick W R | Mork | Talmage |
| Brace | Egan | Hinman | Myers | Terry |
| Brennan | Evans | Hoey | Neupert | Thorn |
| Brereton | Farrell | Hoff | Nolan | Trombly |
| Bridenbecker | Fay | Hoyt | Oliver | Turley |
| Brown | Filley | Huher | Pappert | Walker |
| Bryant | Fitzpatrick | Jackson | Parker A | Waring |
| Bush | Foley | Jameson | Parker J S | Warren |
| Butler | Geatons | Jones | Pattie | Washburn |
| Carew | Gerhardt | Kennedy | Phillips C W | Weil |
| Cheney | Goodman | Keys | Pierce | Wende |
| Coffey | Goodwin | Lansing | Saunders | Wheeler |
| Collin | Gould | LaReau | Schifferdecker | White |
| Connell | Graubard | Levy A J | Seeley | Wilson |
| Constantine | Gregg | Lincoln | Shannon | Winters |
| Cosad | Gurnett | MacGregor | Sheide | Yale |
| Cross | Hackett | Manley | Shepardson | Yeomans |
| Cuvillier | Haines | Martin | Shlivek | Young |
| Dawson | Hammond | McCue | Smith A E | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1961, Rec. No. 449), entitled "An act to amend section one hundred of chapter six hundred and fifty-nine of the Laws of

nineteen hundred and ten, entitled 'An act in relation to the inferior courts of criminal jurisdiction in the city of New York, defining their powers and jurisdiction and providing for their officers.' "

Said bill having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Tuesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 1848, Rec. No. 448), entitled "An act to amend the Code of Civil Procedure, in relation to permitting justices of the peace and magistrates of cities of the State of New York to take oaths and acknowledgments."

Said bill having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Tuesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 1468, Rec. No. 468), entitled "An act to amend the Code of Criminal Procedure, in relation to fees of witnesses in behalf of the people."

Said bill having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Tuesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 491, Rec. No. 200), entitled "An act making an appropriation for the payment to Frederick Skene of money to reimburse him for liability incurred while State Engineer and Surveyor, in receiving moneys from the automobile manufacturers' committee as indemnity for damages to State highways and for expenses incurred in connection therewith."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

| | | | | |
|-------------|-------------|-------------|----------------|-----------|
| Adler | Day | Hart | McDaniels | Smith T K |
| Allen | DeLano | Hearn | McKeon | Stivers |
| Beach | Donnelly | Herrick J J | Merritt | Sweet |
| Blauvelt | Donovan | Herrick W R | Mork | Talmage |
| Brace | Egan | Hinman | Myers | Terry |
| Brennan | Evans | Hoey | Neupert | Thorn |
| Brereton | Farrell | Hoff | Nolan | Trombly |
| Bidenbecker | Fay | Hoyt | Oliver | Turley |
| Brown | Filley | Huber | Pappert | Walker |
| Bryant | Fitzpatrick | Jackson | Parker A | Waring |
| Bush | Foley | Jameson | Parker J S | Warren |
| Butler | Geaton | Jones | Patrie | Washburn |
| Carew | Gerhardt | Kennedy | Phillips C W | Weil |
| Cheney | Goodman | Keys | Pierce | Wende |
| Coffey | Goodwin | Lansing | Saunders | Wheeler |
| Collin | Gould | LaReau | Schifferdecker | White |
| Connell | Graubard | Levy A J | Seeley | Wilson |
| Constantine | Gregg | Lincoln | Shannon | Winters |
| Cosad | Gurnett | MacGregor | Sheide | Yale |
| Cross | Hackett | Manley | Shepardson | Yeomans |
| Cuvillier | Haines | Martin | Shlivek | Young |
| Dawson | Hammond | McCue | Smith A E | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1930, Rec. No. 398), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section seven, article seven, of the Constitution, in relation to storage reservoirs and hydraulic developments in the forest preserve."

On motion of Mr. Wende, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-----------|
| Adler | Day | Hart | McDaniels | Smith T K |
| Allen | DeLano | Hearn | McKeon | Stivers |
| Beach | Donnelly | Herrick J J | Merritt | Sweet |
| Blauvelt | Donovan | Herrick W R | Mork | Talmage |
| Brace | Egan | Hinman | Myers | Terry |
| Brennan | Evans | Hoey | Neupert | Thorn |
| Brereton | Farrell | Hoff | Nolan | Trombly |
| Bridenbecker | Fay | Hoyt | Oliver | Turley |
| Brown | Filley | Huber | Pappert | Walker |
| Bryant | Fitzpatrick | Jackson | Parker A | Waring |
| Bush | Foley | Jameson | Parker J S | Warren |
| Butler | Geatons | Jones | Patrie | Washburn |
| Carew | Gerhardt | Kennedy | Phillips C W | Weil |
| Cheney | Goodman | Keys | Pierce | Wende |
| Coffey | Goodwin | Lansing | Saunders | Wheeler |
| Collin | Gould | LaReau | Schifferdecker | White |
| Connell | Graubard | Levy A J | Seeley | Wilson |
| Constantine | Gregg | Lincoln | Shannon | Winters |
| Cosad | Gurnett | MacGregor | Sheide | Yale |
| Cross | Hackett | Manley | Shepardson | Yeomans |
| Cuvillier | Haines | Martin | Shlivek | Young |
| Dawson | Hammond | McCue | Smith A E | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2082, Rec. No. 505), entitled "An act to amend the General Municipal Law, in relation to the acquisition of water rights in Westchester and Putnam counties."

Said bill having been announced for a second reading,

On motion of Mr. Young, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Tuesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 1113, Rec. No. 379), entitled "An act to amend the Education Law, in relation to the libraries of the Supreme Court and the Appellate Division of the first department."

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-----------|
| Adler | Day | Hart | McDaniels | Smith T K |
| Allen | DeLano | Hearn | McKeon | Stivers |
| Beach | Donnelly | Herrick J J | Merritt | Sweet |
| Blauvelt | Donovan | Herrick W R | Mork | Talmage |
| Brace | Egan | Hinman | Myers | Terry |
| Brennan | Evans | Hoey | Neupert | Thorn |
| Brereton | Farrell | Hoff | Nolan | Trombly |
| Bridenbecker | Fay | Hoyt | Oliver | Turley |
| Brown | Filley | Huber | Pappert | Walker |
| Bryant | Fitzpatrick | Jackson | Parker A | Waring |
| Bush | Foley | Jameson | Parker J S | Warren |
| Butler | Geatons | Jones | Patrie | Washburn |
| Carew | Gerhardt | Kennedy | Phillips C W | Weil |
| Cheney | Goodman | Keys | Pierce | Wende |
| Coffey | Goodwin | Lansing | Saunders | Wheeler |
| Collin | Gould | LaReau | Schifferdecker | White |
| Connell | Graubard | Levy A J | Seeley | Wilson |
| Constantine | Gregg | Lincoln | Shannon | Winters |
| Cosad | Gurnett | MacGregor | Sheide | Yale |
| Cross | Hackett | Manley | Shepardson | Yeomans |
| Cuvillier | Haines | Martin | Shlivek | Young |
| Dawson | Hammond | McCue | Smith A E | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1909, Rec. No. 478), entitled "An act to amend the Education Law, relative to compulsory education of blind children."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-----------|
| Adler | Day | Hart | McDaniels | Smith T K |
| Allen | DeLano | Hearn | McKeon | Stivers |
| Beach | Donnelly | Herrick J J | Merritt | Sweet |
| Blauvelt | Donovan | Herrick W R | Mork | Talmage |
| Brace | Egan | Hinman | Myers | Terry |
| Brennan | Evans | Hoey | Neupert | Thorn |
| Brereton | Farrell | Hoff | Nolan | Trombly |
| Bridenbecker | Fay | Hoyt | Oliver | Turley |
| Brown | Filley | Huber | Pappert | Walker |
| Bryant | Fitzpatrick | Jackson | Parker A | Waring |
| Bush | Foley | Jameson | Parker J S | Warren |
| Butler | Geatons | Jones | Patrie | Washburn |
| Carew | Gerhardt | Kennedy | Phillips C W | Weil |
| Cheney | Goodman | Keys | Pierce | Wende |
| Coffey | Goodwin | Lansing | Saunders | Wheeler |
| Collin | Gould | LaReau | Schifferdecker | White |
| Connell | Graubard | Levy A J | Seeley | Wilson |
| Constantine | Gregg | Lincoln | Shannon | Winters |
| Cosad | Gurnett | MacGregor | Shelde | Yale |
| Cross | Hackett | Manley | Shepardson | Yeomans |
| Cuvillier | Haines | Martin | Shlivek | Young |
| Dawson | Hammond | McCue | Smith A E | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1999, Rec. No. 464), entitled "An act to amend chapter three hundred and ninety-two of the Laws of eighteen hundred and ninety-six, entitled 'An act to regulate the commitment and discharge of certain prisoners, tramps and vagrants in Richmond county, and to prescribe the effect thereof, to provide for the support of prisoners in the jail in the county of Richmond, and to fix the duties and compensation of the sheriff of said county and of certain employees in the jail of said county,' generally."

On motion of Mr. Shortt, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-----------|
| Adler | Dav | Hart | McDaniels | Smith T K |
| Allen | DeLano | Hearn | McKeon | Stivers |
| Beach | Donnelly | Herrick J J | Merritt | Sweet |
| Blauvelt | Donovan | Herrick W R | Mork | Talmage |
| Brace | Egan | Hinman | Myers | Terry |
| Brennan | Evans | Hoey | Neupert | Thorn |
| Brereton | Farrell | Hoff | Nolan | Trombly |
| Brideabecker | Fay | Hoyt | Oliver | Turley |
| Brown | Filley | Huber | Pappert | Walker |
| Bryant | Fitzpatrick | Jackson | Parker A | Waring |
| Bush | Foley | Jameson | Parker J S | Warren |
| Butler | Geatons | Jones | Patrie | Washburn |
| Carew | Gerhardt | Kennedy | Phillips C W | Weil |
| Cheney | Goodman | Keys | Pierce | Wende |
| Coffey | Goodwin | Lansing | Saunders | Wheeler |
| Collin | Gould | LaReau | Schifferdecker | White |
| Connell | Graubard | Levy A J | Seeley | Wilson |
| Constantine | Gregg | Lincoln | Shannon | Winters |
| Cosad | Gurnett | MacGregor | Sheide | Yale |
| Cross | Hackett | Manley | Shepardson | Yeomans |
| Cuvillier | Haines | Martin | Shlivek | Young |
| Dawson | Hammond | McCue | Smith A E | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 958, Int. No. 867), entitled "An act to amend chapter seven hundred and six of the Laws of nineteen hundred and one, entitled 'An act to make the office of register of the county of Kings a salaried office and regulating the management of said office,' in relation to the compensation and duties of the register."

On motion of Mr. M. A. O'Neil, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-----------|
| Adler | Day | Hart | McDaniels | Smith T K |
| Allen | DeLano | Hearn | McKeon | Stivers |
| Beach | Donnelly | Herrick J J | Merritt | Sweet |
| Blauvelt | Donovan | Herrick W R | Mork | Talmage |
| Brace | Egan | Hinman | Myers | Terry |
| Brennan | Evans | Hoey | Neupert | Thorn |
| Brereton | Farrell | Hoff | Nolan | Trombly |
| Bridenbecker | Fay | Hoyt | Oliver | Turley |
| Brown | Fillee | Huber | Pappert | Walker |
| Bryant | Fitzpatrick | Jackson | Parker A | Waring |
| Bush | Foley | Jameson | Parker J S | Warren |
| Butler | Geatons | Jones | Patrie | Washburn |
| Carew | Gerhardt | Kennedy | Phillips C W | Weil |
| Cheney | Goodman | Keys | Pierce | Wende |
| Coffey | Goodwin | Lansing | Saunders | Wheeler |
| Collin | Gould | LaReau | Schifferdecker | White |
| Connell | Graubard | Levy A J | Seeley | Wilson |
| Constantine | Gregg | Lincoln | Shannon | Winters |
| Cosad | Gurnett | MacGregor | Sheide | Yale |
| Cross | Hackett | Manley | Shepardson | Yeomans |
| Cuvillier | Haines | Martin | Shlivek | Young |
| Dawson | Hammond | McCue | Smith A E | Zorn |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. C. W. Phillips offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1687, Senate Reprint No. 2052, Int. No. 1411), entitled "An act to amend the Labor Law, in relation to the organization, powers and duties of the Department of Labor," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Carew offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1911, Senate Reprint No. 1833, Int. No. 696), entitled "An act to amend the Public Health Law, in relation to the use of common drinking cups," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *June 30, 1911.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1627, Int. No. 1371), entitled "An act to amend the Public Health Law, in relation to the practice of undertaking and embalming and the licensing of undertakers and embalmers."

JOHN A. DIX.

Said bill having been announced,

Mr. Foley moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-----------|
| Adler | Day | Hart | McDaniels | Smith T K |
| Allen | DeLano | Hearn | McKeon | Stivers |
| Beach | Donnelly | Herrick J J | Merritt | Sweet |
| Blauvelt | Donovan | Herrick W R | Mork | Talmage |
| Brace | Egan | Hinman | Myers | Terry |
| Brennan | Evans | Hoev | Neupert | Thorn |
| Brereton | Farrell | Hoff | Nolan | Trombly |
| Bridenbecker | Fay | Hoyt | Oliver | Turley |
| Brown | Filley | Huber | Pappert | Walker |
| Bryant | Fitzpatrick | Jackson | Parker A | Waring |
| Bush | Foley | Jameson | Parker J S | Warren |
| Butler | Geatons | Jones | Patrie | Washburn |
| Carew | Gerhardt | Kennedy | Phillips C W | Weil |
| Cheney | Goodman | Keys | Pierce | Wende |
| Coffey | Goodwin | Lansing | Saunders | Wheeler |
| Collin | Gould | LaReau | Schifferdecker | White |
| Connell | Graubard | Levy A J | Seeley | Wilson |
| Constantine | Gregg | Lincoln | Shannon | Winters |

| | | | | |
|-----------|---------|-----------|------------|---------|
| Cosad | Gurnett | MacGregor | Sheide | Yale |
| Cross | Hackett | Manley | Shepardson | Yeomans |
| Cuvillier | Haines | Martin | Shlivek | Young |
| Dawson | Hammond | McCue | Smith A E | Zorn |

Mr. Foley moved that said bill be recommitted to the committee on public health, with instructions to report the same forthwith, amended as follows:

In the title strike out "practice of undertaking and embalming and the" and also strike out "and embalmers." and insert after "undertakers" the following: "and the compensation of members and officers of the State Board of Embalming Examiners."

Page 1, line 1, strike out "ninety-five" and insert in place thereof the word "ninety".

Page 1, between lines 4 and 5, insert the following:

"§ 290. Board of embalming examiners; compensation. The Board of Embalming Examiners of the State of New York is continued. The members of said board now in office shall continue in office until the expiration of their respective terms. The board shall consist of five members appointed by the Governor, each of whom shall serve for a term of three years. Any vacancies occurring in said board shall be filled by the Governor, for the unexpired term. The Governor may remove from office any member of said board of examiners for continued neglect of any of the duties imposed upon him by this article, or for incompetency or improper conduct. No person shall be eligible to appointment as a member of said board unless he shall have had an experience of at least five years as a practical embalmer. *Each member of said board shall receive an annual salary of two hundred dollars and in addition thereto all necessary expenses incurred in the performance of his duties. The secretary shall receive an annual salary of one thousand dollars in addition to his salary as a member. The salaries provided for in this section, however, shall be payable only from the moneys collected and received by said board as provided in this article.*

"§ 2. Section two hundred and ninety-five of such chapter is hereby amended to read as follows:"

Page 1, line 5, strike out the bracket and insert a bracket "[" before "undertaking" and insert in italics before the bracket the words "as certified undertaker."

Page 3, line 4, strike out the italicised matter and strike out all of the italicised matter in lines 5 to 20, inclusive, and insert in italics in place thereof the following: "Any person who, at the time this section as hereby amended takes effect, shall actually engage in the business of undertaking and who desires to become a

'certified undertaker' under the provisions of this section may, on or before December thirty-first, nineteen hundred and eleven, file with the Board of Embalming Examiners a verified written application for authority to do business as a certified undertaker, stating therein the fact of his having been so engaged in business and accompanying the same with the payment of a fee of five dollars, and said board shall thereupon issue to said applicant a license to do business as a 'certified undertaker.' Every undertaker, whether licensed or not, who shall take into his employ an apprentice shall report to the Board of Embalming Examiners within three months thereafter such facts as the board may require for registration. The board shall issue to such apprentice, when his character and qualifications are satisfactory, a certificate of registration as a 'registered apprentice.' The fee for such registration shall be fifty cents. An application for a license to do business as a certified undertaker shall contain the name, residence and place of business of the applicant, and a statement of the times and places where he has been employed as an assistant to an undertaker accompanied with such proof, by affidavit or otherwise, as the board may require showing that the applicant had served as an apprentice or assistant to an undertaker for at least two years in the aggregate; but the application above provided for shall not be required of a person actually engaged in the business of undertaking at the time this amendment takes effect. An application fee of five dollars shall accompany the application. The secretary of the board shall issue to the applicant a permit to enter any examination for the license provided for in this section. Upon the applicant's passing a satisfactory examination in sanitation, disinfection, preparation and care of human dead bodies for burial or transportation, the board shall issue to said applicant, on payment of a further fee of five dollars, a license to engage in the business of undertaking as a 'certified undertaker.' If a firm or corporation shall desire to become, as a firm 'certified undertakers,' at least one member of such firm and the manager of each place of business conducted by a corporation shall be so licensed. No such firm or corporation shall be permitted to continue the use of the designation 'certified undertakers' unless the care or preparation of human dead bodies for burial or transportation by them or it is done under the personal supervision of a certified undertaker licensed as such. A person licensed as a certified undertaker may cause his license to be registered with the board of health of the city, town or village in which he proposes to engage in business as a 'certified undertaker.' No person shall practice or hold himself out as a 'certified undertaker' unless he has complied with the provisions of this sec-

tion or with chapter four hundred and ninety-eight of the Laws of nineteen hundred and four, as amended by chapter five hundred and seventy-two of the Laws of nineteen hundred and five. Any holder of a license issued by State authority in any other State maintaining a system and standard of examination for licenses to engage in the business of undertaking, which in the judgment of the board shall be substantially equivalent to those required in this State for the issuance of licenses as 'certified undertakers,' may obtain a license from the board under the provisions of this section without examination, in the discretion of the board, upon payment of the application and license fees provided for herein. Nothing contained in this section shall be construed to prohibit any person or corporation from engaging in the business of undertaking whether licensed under this section or not, but only to prohibit the use of the designation 'certified undertaker' or 'certified undertakers' unless the provisions of this section are complied with."

Page 3, strike out lines 21 to 26, inclusive.

Page 4, strike out the whole page.

Page 5, strike out the whole page.

Page 6, strike out lines 1, 2 and 3, and insert in place thereof the following:

" § 3. Section two hundred and ninety-eight of such chapter is hereby amended to read as follows:

" § 298. Prohibiting practice of embalming [or undertaking] without a license. No person to whom a license has not been issued as prescribed by Laws of eighteen hundred and ninety-eight, chapter five hundred and fifty-five, as amended, or who has not passed the examination *for practicing embalming* herein prescribed and been licensed as herein specified, shall transact or practice or hold himself or herself out as transacting or practicing the business or practice of [undertaking or] embalming [or undertaking and embalming] of dead human bodies within this State, except that nothing in this article contained shall apply to commissioned medical officers in the army of the United States, or in the United States marine hospital service while so commissioned, or any one actually serving as a member of the resident medical staff of any legally incorporated hospital, or to any person duly licensed to practice as a physician or surgeon in this State."

Page 6, line 4, change the numeral "3" to "4".

Page 6, line 9, change the numeral "4" to "5".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Bush, from the committee on public health, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1911, Senate Reprint No. 1833, Int. No. 696), entitled "An act to amend the Public Health Law, in relation to the use of common drinking cups," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1687, Senate Reprint No. 2052, Int. No. 1411), entitled "An act to amend the Labor Law, in relation to the organization, powers and duties of the Department of Labor," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

On motion of Mr. A. E. Smith, the House adjourned.

TUESDAY, JULY 11, 1911.

The House met pursuant to adjournment.

Prayer by Rev. D. J. Many, Jr., Rensselaer.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

A message from the Governor, by the hand of his secretary, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 11, 1911.*

To the Legislature:

The condition of the State finances demands serious attention. The expenses have been increasing during the last few years at the rate of from one to three millions per annum, the appropriations signed in 1910 by my predecessor amounting to \$42,975,000. This State met a large portion of its expenditures by direct taxation down to the time of the administration of Governor Odell.

During his term of office the system of direct taxation was substantially abandoned and a large number of indirect taxes were introduced. The last such additional sources of revenue to be introduced were the stock transfer tax and the mortgage tax, introduced in 1905. The indirect taxes have developed a maximum annual return of about \$32,000,000, the remaining receipts of the State being derived from miscellaneous sources. In the earlier part of their existence the expenditures were much lower and a considerable surplus was created. For the last few years, however, the expenditures have been in excess of the receipts, notably so this year, the appropriations being, as above stated, \$42,975,000, and the estimated receipts \$36,000,000. Hitherto this excess has been paid from the surplus. On September 30th last, there was a surplus in the general fund of \$5,407,445.84. In view of the appropriations made by your predecessors and the income above noted, it is estimated by the Comptroller that there will be a cash deficit on September 30th next in excess of \$1,000,000. The effort made by the last Legislature to increase the revenue from inheritance taxes by gradually increasing the rates of taxation seems to have failed, as the estimated receipts from that source will be less this year than last, by about the sum of \$1,500,000, though it is fair to say that this loss seems to be due to special causes.

It does not seem wise to attempt to increase any of the existing indirect taxes. With a view, however, of carrying out the policy of indirect taxation, so far as can be reasonably done without burdening enterprise and business, a measure has been prepared by the Senate committee on taxation and retrenchment and is now before you — Senate bill (No. 1880, Int. No. 912), by Mr. Harte, which provides a tax for the use of the State on secured debts. This term is carefully defined to include mortgages on property outside of the State, bonds and other evidences of debt and practically all forms of taxable securities, except commercial papers, which do not now come under the operation of our mortgage recording tax law, of which this bill is, in substance, an extension.

The proposed tax is at a fixed rate of one-half per cent. upon the face value, like the mortgage recording tax. The payment of this tax bill will carry with it exemption from liability to local assessment. It is notorious that this class of property is so easily concealed that it is rarely discovered by the local assessor. The occasions on which such property is disclosed are chiefly when it passes at death for the support of widows and orphans. Then the local rate is so high as to take frequently a third to a half or more of the income. And when by some chance such securities are placed, upon the roll, it usually happens that the next year the owner no longer has them in his possession, subject to taxation.

These conditions have led to many suggestions for a fair specific tax as a substitute for the inequalities and unfair burdens of the local assessment of such personal property. Where such a plan has been adopted, as in our mortgage recording tax and in similar tax measures in other States, the result has always been an increase in the revenue and in the satisfaction of the taxpayers. People do not object to a fair and reasonable tax which bears equally on all, but they cannot be blamed for evading a law so notoriously unfair in its operations as the local taxation of personal property, under which a few are caught for heavy taxes and the vast majority escape.

The proposed tax on secured debt will make practically no difference in the local revenues, but it is expected to provide a considerable revenue for the State, the precise amount of which cannot be determined in advance. Not only should this tax be paid voluntarily and in fact eagerly by the holders of such securities, but it will also be paid by corporations issuing new bonds, so that they will be able to market them freely in our financial centers. As the new issues of bonds amount to some hundreds of millions annually in the city of New York, the possibilities of revenue from this source are obvious.

I, therefore, recommend the passage of this bill.

JOHN A. DIX.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

July 10, 1911.

To the Legislature:

In a previous message, I called attention to the importance of passing a carefully considered Inheritance Tax Law. As a result of that message there are now before your body Senate bills (Nos. 2097 and 1793), introduced by Senator Harte, as the result of a most careful study dealing in a comprehensive and accurate manner with this problem, and which will, I hope, receive your immediate and favorable consideration.

INHERITANCE TAX.

The present Inheritance Tax Law, which was passed at the extraordinary session of 1910 and went into effect July 12, 1910, was enacted for the avowed purpose of increasing the revenue of

the State from this source. It has, however, failed to accomplish this purpose; on the contrary the revenue has fallen off to a marked degree, and each month shows a continuing loss, while the withdrawal of capital from the State has reached large proportions, which will result in great decreases in revenue, both from inheritance taxes and from the corporation and property taxes.

This result is due to the drastic nature of the present law, with its very small exemptions and its rates rising sharply to a maximum of 25 per cent.

Prior to the enactment of the law of 1910 the rates had been low, without any gradation. Other States had been introducing graded rates, and there has been for some years a belief that the inheritance tax in this State could be properly increased so as to produce a larger revenue from this source. The only way in which this can be accomplished without unduly increasing the burden upon the small estates is to have moderately graded rates upon the larger fortunes. The rates in the existing law, however, are excessive, and much higher than those in force in other States. The amounts at which the increased rates begin to apply are too low. The result produced is unjust and confiscatory.

The present law continued also the evil of double taxation, which had gradually grown up under prior laws and which was enormously intensified by the great increase in the rates. This increase served also to direct the attention of the investing public of other States and foreign countries to the double taxation features of our laws. Thus the alarm has been sounded and every would-be purchaser of the stock of New York corporations now has brought to his notice in many ways and from many sources the fact that his investments will be liable to inheritance taxes under our present law, in addition to the taxes which the State or country of his residence may also impose. The extreme sensitiveness of capital to undue tax burdens is well known, and this unjust liability to double taxation is working to the detriment of our industrial development. Our legislation should be shaped so as to attract capital, rather than to repel it. Our business enterprises must be encouraged in every legitimate effort to induce the investment of capital here, thereby providing greater and steadier employment for our workingmen and enhancing property values for local taxation.

A bill is now before you, Senate bill (No. 2097, Int. No. 911), introduced by Mr. Harte, which is designed to remedy these conditions, by reducing the excessive rates of the present law and eliminating the feature of double taxation. This bill increases the exemption to \$5,000 on each direct inheritance, and \$1,000 on each inheritance passing to collaterals and strangers; whereas the present law has the pitifully small exemption of \$100 to collaterals and

to most direct heirs allows only \$500. The rate of 1 per cent. on direct inheritances above the exemption continues under this bill at 1 per cent. up to \$50,000; thence at 2 per cent. to \$250,000; thence at 3 per cent. on the excess up to \$1,000,000, and only reaches 4 per cent. on the excess above \$1,000,000. The present law begins the 2 per cent. rate on direct heirs at \$25,000; the 3 per cent. at \$1,000,000, and rises to 5 per cent. on amounts over \$1,000,000. The change in the rate on collaterals is still more marked. The present law, with its device of primary rates, multiplied several times, begins with a 5 per cent. tax on collateral bequests up to \$25,000 and then by a rapid increase, in 5 per cent. jumps, goes up to 10 per cent. on amounts above \$25,000 and up to \$100,000; 15 per cent. on \$100,000 to \$500,000; 20 per cent. on \$500,000 to \$1,000,000; and reaches the extraordinary and confiscatory rate of 25 per cent. on amounts over \$1,000,000; a rate which is almost twice as high as the highest rate reached in any State in the Union.

The bill before you, on the other hand, first allows an exemption of \$1,000 on collateral bequests and then, beginning with the 5 per cent. rate, provides a 1 per cent. increase on the same gradations as for direct heirs until a maximum rate of 8 per cent. on amounts over \$1,000,000 is reached.

Quite as important as the changes in rates is the provision in the bill before you eliminating double taxation. This is done by dividing taxable transfers into tangible and intangible property. Tangible property is defined as real estate and such personal property as goods and chattels. Intangibles include such property as money, securities, shares in corporations and evidences of debt.

Under the bill the transfers at death from residents of the State will be taxable only so far as they include real estate and tangible personal property located here. The intangible property of residents will still be taxable here. Transfers from the estates of nonresidents will be taxable upon real estate or tangible personal property located here, but will not be taxable upon any intangible property. The division of tangible and intangible property follows the rule of the ordinary property tax, in which the situs of intangible property is held to be the residence of the owner.

The evils of double taxation of inheritances have become more marked year by year as one State after another has enacted inheritance tax legislation, until now even triple taxation is not unknown. With the diversity of investment natural to such a nation as ours, where State lines are disregarded in business affairs, this double taxation must be abandoned or it will inevitably lead to a demand that a Federal inheritance be substituted for State taxation and a most important source of State revenue will be irretrievably lost.

This subject has been long and carefully considered by conference of tax officials and economists. The bill before you conforms to the recommendations adopted by the last conference on State and local taxation of the International Tax Association, in which most of the States participated and at which New York was represented. The conference held at Utica this year, made up of representatives of our State and local tax officials, has also indorsed the principles on which this bill is based.

New York was the pioneer in laws for the taxation of inheritances, and other States have largely based their laws upon ours. New York should lead again and do away with this injustice of double taxation which has now grown to such great proportions, and we may confidently expect that other States, who now offend in this respect, will again follow our example, but this time in the right direction.

The enactment of a law with reasonable graded rates, liberal exemptions to small bequests, just to our own citizens and fair in its relations to those of other States, will restore confidence in the business and financial world, retain our citizens, whom by our present law we are threatening to drive into exile, provide a fair and increased revenue for the State, and emphasize the pre-eminence of New York in just and reasonable tax legislation.

INHERITANCE TAXES ON REMAINDERS.

The Transfer Tax Law provides in certain cases for the payment of a tax at the highest rate which might under certain contingencies become due. For example, if property is left in trust for the use of a life tenant with a provision that at such person's death the property may pass either to a direct heir or, under some contingency, to a stranger, a tax is immediately due and collected by the State at the higher rate which applies to collaterals. If, however, at the termination of the life estate, the property passes to the direct heir would be taxable at a lower rate, the State must refund the excess tax with a 4 per cent. interest. During the time the State has had the money, the life tenant has been deprived of the income on the amount required to pay the tax, and the remainderman profits by the receipt of the interest, which the State loses. As such refund is frequently made years after the tax is paid, the money received has been spent and must be replaced by the State from other current revenue. This is bad finance.

The Comptroller has recommended that the law be changed so that instead of collecting a tax, which frequently must be refunded, the State collect only the tax which will certainly be due and that it shall be protected by the deposit of sufficient money or securities

to cover the possible higher tax. The life tenant would have the income from the securities so deposited. At the termination of the life estate, either the securities will be returned or if an excess tax then is found to be due, this will be collected out of the deposit.

Senate bill (No. 1793), by Mr. Harte, now before the Senate, has been drafted by the Comptroller's office for the purpose of carrying out this change in the law, which will be to the common benefit of the State and the life tenant, and I recommend its immediate passage.

JOHN A. DIX.

Mr. Foley gives notice that he requests that Assembly bill (No. 524, Int. No. 509), entitled "An act to amend the Public Health Law, in relation to the issuance of licenses to practice as licensed pharmacists," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Donnelly gives notice that he requests that the Senate bill introduced by Mr. Cullen (No. 2066, Rec. No. 502), entitled "An act to amend the Transportations Corporation Law, by adding thereto an additional article, ten-a, providing for the incorporation of freight terminal companies," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Donnelly gives notice that he requests that the Senate bill introduced by Mr. Cullen (No. 2065, Rec. No. 501), entitled "An act to improve the water-front facilities of the city of New York, in relation to the receipt, delivery and shipment of freight," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Sheide gives notice that he requests that the Senate bill introduced by Mr. Long (No. 1023, Rec. No. 365), entitled "An act to amend the Tax Law, in relation to the appointment of a transfer tax clerk in Nassau county," a copy of which is hereto

annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Seeley gives notice that he requests that the Senate bill introduced by Mr. Murtaugh (No. 1874, Rec. No. 499), entitled "An act to legalize, ratify and confirm all the proceedings of the city of Hornell, and of its common council, boards, officers and agents, and of its qualified resident taxpayers, relative to the issue of bonds of said city in the amount of thirty-six thousand dollars, for the purpose of purchasing a site and building a central fire station, and authorizing the issue thereof, and providing for the resale of said bonds in case of certain conditions," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Seeley gives notice that he requests that the Senate bill introduced by Mr. Murtaugh (No. 1873, Rec. No. 498), entitled "An act to legalize, ratify and confirm all the proceedings of the city of Hornell, and of its common council, boards, officers and agents, and the qualified resident taxpayers thereof, relative to the issue of the bonds of said city in the amount of eighty thousand dollars, for the purpose of purchasing the necessary lands and constructing thereon a storage reservoir in connection with its municipal water system, and for building an additional pipe line from the filters to the city, and to authorize the issue thereof, and providing for the resale of said bonds in case of certain conditions," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. McMannus (No. 2038, Rec. No. 507), entitled "An act in relation to the office of the surrogates of the county of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills:

"An act to amend 'An act for the incorporation of the Skane-

ateles Railroad Company, and to operate a railroad from the village of Skaneateles to Skaneateles Junction,' passed April seventeenth, eighteen hundred and sixty-six, in relation to the continuance of its corporate existence " (No. 1971, Rec. No. 509), which was read the first time and referred to the committee on railroads.

"An act making an appropriation for the purchase of an addition to the site of the State Normal College " (No. 1056, Rec. No. 510), which was read the first time and referred to the committee on ways and means.

"An act to amend the Code of Civil Procedure, with reference to applications for an order " (No. 2080, Rec. No. 511), which was read the first time and referred to the committee on codes.

"An act authorizing the acquisition of another site for the Utica State Hospital and the disposition of the present buildings and grounds of said State hospital " (No. 2127, Rec. No. 512), which was read the first time and referred to the committee on public institutions.

"An act to authorize the board of supervisors in a county adjoining a city of the first class to establish police districts outside the limits of any incorporated village therein " (No. 1993, Rec. No. 515), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter one hundred and twenty-five of the Laws of eighteen hundred and sixty-one, entitled 'An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village,' in relation to the indebtedness of the village " (No. 1891, Rec. No. 516), which was read the first time and referred to the committee on affairs of villages.

"An act to amend the Highway Law, in relation to creating a new State highway in the counties of Rockland and Orange " (No. 2096, Rec. No. 513), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Greater New York charter, in relation to permits for construction of private sewers " (No. 2115, Rec. No. 514), which was read the first time and referred to the committee on affairs of cities.

"An act to amend an act, entitled 'An act to revise the charter

of the city of Hornellsville and to change the name thereof,' in relation to bonds " (No. 2137, Rec. No. 517), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter thirteen of the Laws of nineteen hundred and nine, entitled 'An act relating to canals, constituting chapter five of the Consolidated Laws,' by inserting therein a new section, to be known as section one hundred and twenty-six-a, relative to the payment of the cost of operating life or swing bridges in towns and villages " (No. 2089, Rec. No. 518), which was read the first time and referred to the committee on canals.

"An act to amend section one hundred and five of article ten of chapter eighteen of the Consolidated Laws, in relation to notaries public " (No. 2114, Rec. No. 519), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Judiciary Law, in relation to the designation of Special, Trial and Appellate Terms of the Supreme Court in the first judicial district " (No. 2152, Rec. No. 520), which was read the first time and referred to the committee on the judiciary.

"An act to amend chapter three hundred and twenty-seven of the Laws of eighteen hundred and eighty-two, entitled 'An act to incorporate the Actors' Fund of America,' in relation to trustees and officers " (No. 2138, Rec. No. 521), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Banking Law, relative to certain foreign banking corporations " (No. 2113, Rec. No. 522), which was read the first time and referred to the committee on banks.

"An act to amend the Highway Law, in relation to the courses and descriptions of route seven of the State highway system " (No. 2010, Rec. No. 523), which was read the first time and referred to the committee on internal affairs.

"An act authorizing the village of Irvington to accept certain improved roadways as public streets " (No. 1994, Rec. No. 524), which was read the first time and referred to the committee on affairs of villages.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Foley (No. 524, Int. No. 509), entitled "An act to amend the Public Health Law, in re-

lation to the issuance of licenses to practice as licensed pharmacists," reported in favor of the passage of the same without amendment, and that the same be made a special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bill ordered made a special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Long (No. 1023, Rec. No. 365), entitled "An act to amend the Tax Law, in relation to the appointment of a transfer tax clerk in Nassau county."

Also, Senate bill introduced by Mr. Cullen (No. 2065, Rec. No. 501), entitled "An act to improve the water-front facilities of the city of New York, in relation to the receipt, delivery and shipment of freight."

Also, Senate bill introduced by Mr. Murtaugh (No. 1873, Rec. No. 498), entitled "An act to legalize, ratify and confirm all the proceedings of the city of Hornell and of its common council, boards, officers and agents, and the qualified resident taxpayers thereof, relative to the issue of the bonds of said city in the amount of eighty thousand dollars, for the purpose of purchasing the necessary lands and constructing thereon a storage reservoir in connection with its municipal water system, and for building an additional pipe line from the filters to the city, and to authorize the issue thereof, and providing for the resale of said bonds in case of certain conditions."

Also, Senate bill introduced by Mr. Murtaugh (No. 1874, Rec. No. 499), entitled "An act to legalize, ratify and confirm all the proceedings of the city of Hornell, and of its common council, boards, officers and agents, and of its qualified resident taxpayers, relative to the issue of the bonds of said city in the amount of thirty-six thousand dollars, for the purpose of purchasing a site and building a central fire station, and authorizing the issue thereof, and providing for the resale of said bonds in case of certain conditions."

Also, Senate bill introduced by Mr. Cullen (No. 2066, Rec. No. 502), entitled "An act to amend the Transportation Corpora-

tions Law, by adding thereto an additional article, ten-a, providing for the incorporation of freight terminal companies," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. A. J. Levy, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Blauvelt (No. 2084, Int. No. 1660), entitled "An act to amend the Election Law, in relation to nominations and primaries," reported in favor of the passage of the following substitute bill:

(See Appendix No. 29.)

which report was agreed to, and said substitute bill ordered printed and placed on the order of second reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Penal Law, in relation to traction engines and dangerous animals on the highways of cities and villages." (No. 2554, Int. No. 1918.)

"An act to provide for the construction of a bridge over the barge canal at the city of Fulton, and making an appropriation therefor." (No. 2574, Int. No. 1048.)

"An act to amend the Forest, Fish and Game Law, in relation to taking quail in Dutchess, Westchester, Putnam, Rockland and Ulster counties." (No. 2563, Int. No. 255.)

"An act to authorize the electors of the village of Peekskill to vote upon a proposition for the construction of a building to be used as a jail, police court and police headquarters, and to acquire necessary lands, and to issue bonds for such purpose." (No. 2558, Int. No. 441.)

"An act to amend chapter six hundred and forty-six of the Laws of nineteen hundred and five, entitled 'An act to provide for the construction and maintenance of a sanitary trunk sewer and a sanitary outlet sewer in the county of Westchester and to provide

means for the payment therefor,' generally." (No. 2562, Int. No. 538.)

"An act to consolidate and revise the laws relating to the city of Lockport." (No. 2578, Int. No. 1248.)

On motion of Mr. Foley, the committee on rules was instructed to report Assembly bill (No. 2483, Int. No. 1786), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' generally," amended as follows:

Page 5, line 19, strike out the word "two" and insert in place thereof the word "three".

Page 34, line 4, insert a new section to read as follows: "§ 4. An additional justice provided for by this act shall be elected at the next general election; but the provision for such additional justice shall not increase the clerical force of the district."

Page 34, line 5, strike out the figure "4" and insert "5".

Page 34, line 7, strike out the figure "5" and insert "6".

Page 34, line 8, beginning with the word "Note" strike out all rest of page, and all of pages 35, 36, 37, 38, 39 and 40.

Page 4, line 11, strike out "one" and insert "two".

Mr. Speaker, from the committee on rules, reported said bill amended as directed.

On motion of Mr. Foley, said bill was ordered reprinted as amended and recommitted to said committee.

On motion of Mr. Ward, the committee on rules was instructed to report Assembly bill (No. 2551, Int. No. 331), entitled "An act to amend the Penal Law, in relation to the sale and possession of weapons and explosives, and to impose taxes in respect thereto," amended as follows:

Page 1, line 8, after the word "weapons" insert in italics "and possession of explosives".

Page 2, line 12, strike out brackets and insert in place thereof in italics the numeral "3."

Line 19, strike out brackets.

Line 20, strike out numeral "3" and insert in italics in place thereof numeral "4".

Line 25, strike out brackets.

Page 3, line 2, after the word "town" strike out brackets, and strike out the word "misdemeanor" and brackets around the word "felony".

Line 3, strike out the numeral "4" and insert in italics the numeral "5" and strike out the rest of the line and lines down to and including the word "year" on line 8, and insert in place thereof the following in italics: "Any person who, in any city, village or town of this State, shall have, carry or have in his possession, a bomb or similar device containing explosive materials or dynamite, nitro-glycerine, or any substance which by ignition propels missiles or rends apart substances, other than cartridges or fixed ammunition for small arms, without having first obtained a written license therefor from the police magistrate of such city or village or from the justice of the peace of such town or in such manner as shall be prescribed by ordinance in such city, village or town, shall be guilty of a felony and shall be punished by imprisonment for not exceeding five years, and the possession of such bomb or other device shall be prima facie evidence that the person in whose possession it was found intended to use it for a criminal purpose."

Line 9, beginning with the numeral "5" strike out all the printed matter down to and including line 26.

Page 4, line 1, strike out down to and including the word "hereunder" on line 6.

Line 7, strike out the numeral "8" and insert in italics in place thereof the numeral "6".

Line 10, strike out the numeral "9" and insert in place thereof in italics the numeral "7".

Line 20, strike out brackets and after the word "of" insert in italics the word "explosives" and a comma.

Line 22, after the word "person" insert in italics "or explosives such as nitro-glycerine or any substance which by ignition propels missiles or rends apart substances, other than cartridges or fixed ammunition for small arms,".

Line 26, after the word "firearm," insert in italics "or said explosives" and a comma.

Page 5, line 2, after the word "firearm" insert in italics "or for what purpose said explosives are to be employed".

Line 10, after the word "firearm," insert in italics "or said explosive".

Line 17, strike out the bracket.

Line 18, beginning with the word "records" strike out the rest of the printed matter down to and including line 25.

Page 6, line 1, beginning with the word "age" strike out all

the printed matter on pages 6, 7, 8 and 9 down to and including the word "purpose" on line 3 of page 9.

Line 4, strike out numeral "2" and insert in place thereof numeral "3".

Mr. Speaker, from the committee on rules, reported said bill amended as directed.

On motion of Mr. Ward, said bill was ordered reprinted as amended and recommitted to said committee.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Egan | Herrick J J | McElligott | Sullivan |
| Allen | Evans | Herrick W R | McGrath | Sweet |
| Baumes | Farrell | Heyman | McKeon | Talmage |
| Beach | Fay | Higgins | Merritt | Terry |
| Blauvelt | Filley | Hinman | Murray | Thorn |
| Boylan | Fitzpatrick | Hoey | Myers | Trombly |
| Brace | Foley | Hollmann | Neupert | Turley |
| Brennan | Friedman | Hoyt | Nolan | Walker |
| Bridenbecker | Geatons | Huber | O'Connor | Ward |
| Brooks | Gerhardt | Jackson | O'Neill J J | Warren |
| Bush | Gerken | Jameson | O'Neil M A | Washburn |
| Butler | Gillen | Jones | Parker J S | Waters R B |
| Carew | Goldberg | Kennedy | Patrie | Weil |
| Caughlan | Goldstein | Keys | Phillips C W | Wende |
| Cheney | Goodman | Lansing | Pierce | Wheeler |
| Coffey | Goodwin | LaReau | Seeley | White |
| Collin | Gould | Levy A J | Sheide | Wilson |
| Colné | Graubard | Levy J | Shepardson | Winters |
| Connell | Gregg | Lincoln | Shlivek | Yale |
| Cosad | Gurnett | MacGregor | Smith A E | Young |
| Cuvillier | Hackett | Manley | Smith T K | Zorn |
| Donnelly | Hammond | Martin | Stivers | Speaker |
| Ebbetts | Hart | McDaniels | | |

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 1685, Rec. No. 357), entitled "An act to amend chapter five hundred and eighteen of the Laws of eighteen hundred and sixty-seven, entitled 'An act to amend an act, entitled "An to incorporate the village of White Plains,"' passed April third, eighteen hundred and sixty-six, in relation to the powers and duties of the village trustees, et cetera, and the acts amendatory thereof."

Said bill having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Wednesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 1937, Rec. No. 406), entitled "An act to grant to the city of Geneva all the interest of the people of the State of New York in certain lands under the waters or partly under the waters of Seneca lake."

Said bill having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Wednesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 1856, Assembly Reprint No. 2561, Rec. No. 343), entitled "An act to amend the Penal Law, in relation to false or misleading advertisements or statements as to or in connection with the sale of real estate."

Said bill having been announced,

Mr. A. E. Smith moved to amend as follows:

Page 2, line 20, after the word "misdemeanor" add in italics "Nothing contained in this section shall apply to a sale of real estate at public auction conducted by an auctioneer duly licensed by a city of the first class."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the special order of second and third reading.

Mr. Speaker announced the special order, being the bill (No. 2570, Int. No. 1006), entitled "An act to amend chapter five hundred and fifty-seven, Laws of eighteen hundred and ninety-four, entitled 'An act to provide for a commission of jurors in counties containing cities of from ninety to ninety-six thousand inhabitants,' in relation to excepting the county of Rensselaer from the operation thereof, and to terminate the office, powers and duties of the present commissioners of jurors in such county."

Said bill having been announced for a second reading,

On motion of Mr. Patrie, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Tuesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 1961, Rec. No. 449), entitled "An act to amend section one hundred of chapter six hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act in relation to the inferior courts of criminal jurisdiction in the city of New York, defining their powers and jurisdiction and providing for their officers.'"

On motion of Mr. Fry, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Ebbetts | Hearn | McDaniels | Smith A E |
| Baumes | Egan | Herrick J J | McElligott | Smith T K |
| Beach | Evans | Herrick W R | McGrath | Stivers |
| Blauvelt | Farrell | Heyman | McKeon | Sullivan |
| Bo lan | Fay | Higgins | Merritt | Sweet |
| Brace | Filley | Hinman | Murray | Talmage |
| Brennan | Fitzpatrick | Hoey | Myers | Thorn |
| Bridenbecker | Foley | Hollmann | Neupert | Trombly |
| Brooks | Friedman | Hoyt | Nolan | Walker |
| Brown | Geatons | Huber | O'Connor | Ward |
| Bryant | Gerhardt | Jackson | Oliver | Waring |
| Bush | Gerken | Jameson | O'Neill J J | Warren |
| Butler | Gillen | Jones | O'Neil M A | Washburn |
| Carew | Goldberg | Kennedy | Parker J S | Waters F A |
| Caughlan | Goldstein | Keys | Patrie | Waters R B |
| Cheney | Goodman | Lansing | Phillips C W | Weil |
| Coffey | Goodwin | LaReau | Pierce | Wende |
| Collin | Gould | Levy A J | Saunders | Wheeler |
| Colné | Graubard | Levy J | Seeley | White |
| Connell | Gregg | Lincoln | Shannon | Wilson |
| Cosad | Gurnett | Macdonald | Sheide | Winters |
| Cross | Hackett | MacGregor | Shepardson | Yale |
| Cuvillier | Hammond | Manley | Shlivek | Young |
| Donnelly | Hart | Martin | Shortt | Zorn |
| Drummond | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1848, Rec. No. 448), entitled "An act to amend the Code of Civil Procedure, in relation to permitting justices of the peace and magistrates of cities of the State of New York to take oaths and acknowledgments."

On motion of Mr. Fry, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Ebbetts | Hearn | McDaniels | Smith A E |
| Allen | Egan | Herrick J J | McElligott | Smith T K |
| Beach | Evans | Herrick W R | McGrath | Stivers |
| Blauvelt | Farrell | Heyman | McKeon | Sullivan |
| Boylan | Fay | Higgins | Merritt | Sweet |
| Brace | Filley | Hinman | Murray | Talmage |
| Brennan | Fitzpatrick | Hoey | Myers | Thorn |
| Bridenbecker | Foley | Hollmann | Neupert | Trombly |
| Brooks | Friedman | Hoyt | Nolan | Walker |
| Brown | Geatons | Huber | O'Connor | Ward |
| Bryant | Gerhardt | Jackson | Oliver | Waring |
| Bush | Gerken | Jameson | O'Neill J J | Warren |
| Butler | Gillen | Jones | O'Neil M A | Washburn |
| Carew | Goldberg | Kennedy | Parker J S | Waters F A |
| Caughlan | Goldstein | Keys | Patrie | Waters R B |
| Cheney | Goodman | Lansing | Phillips C W | Weil |
| Coffey | Goodwin | LaReau | Pierce | Wende |
| Collin | Gould | Levy A J | Saunders | Wheeler |
| Colné | Graubard | Levy J | Seeley | White |
| Connell | Gregg | Lincoln | Shannon | Wilson |
| Cosad | Gurnett | Macdonald | Sheide | Winters |
| Cross | Hackett | MacGregor | Shepardson | Yale |
| Cuvillier | Hammond | Manley | Shlivek | Young |
| Donnelly | Hart | Martin | Shortt | Zorn |
| Drummond | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1468, Rec. No. 468), entitled "An act to amend the Code of Criminal Procedure, in relation to fees of witnesses in behalf of the people."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Ebbetts | Hearn | McDaniels | Smith A E |
| Allen | Egan | Herrick J J | McElligott | Smith T K |
| Beach | Evans | Herrick W R | McGrath | Stivers |
| Blauvelt | Farrell | Heyman | McKeon | Sullivan |
| Boylan | Fay | Higgins | Merritt | Sweet |
| Brace | Filley | Hinman | Murray | Talmage |
| Brennan | Fitzpatrick | Hoey | Myers | Thorn |
| Bridenbecker | Foley | Hollmann | Neupert | Trombly |
| Brooks | Friedman | Hoyt | Nolan | Walker |
| Brown | Geatons | Huber | O'Connor | Ward |
| Bryant | Gerhardt | Jackson | Oliver | Waring |
| Bush | Gerken | Jameson | O'Neill J J | Warren |
| Butler | Gillen | Jones | O'Neil M A | Washburn |
| Carew | Goldberg | Kennedy | Parker J S | Waters F A |
| Caughlan | Goldstein | Keys | Patrie | Waters R B |
| Cheney | Goodman | Lansing | Phillips C W | Weil |
| Coffey | Goodwin | LaReau | Pierce | Wende |
| Collin | Gould | Levy A J | Saunders | Wheeler |
| Colné | Graubard | Levy J | Seeley | White |
| Connell | Gregg | Lincoln | Shannon | Wilson |
| Cosad | Gurnett | Macdonald | Sheide | Winters |
| Cross | Hackett | MacGregor | Shepardson | Yale |
| Cuvillier | Hammond | Manley | Shlivek | Young |
| Donnelly | Hart | Martin | Shortt | Zorn |
| Drummond | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2082, Rec. No. 505), entitled "An act to amend the General Municipal Law, in relation to the acquisition of water rights in Westchester and Putnam counties."

Said bill having been announced,

Mr. Ward moved to amend as follows:

Page 2, line 18, strike out "water supply commission" and insert in italics in place thereof "Conservation Department".

Page 2, line 25, after "said" strike out "commission" and insert in italics in place thereof "Conservation Department"; strike out on same line "commis-" and on line 26 "sion" and insert in italics in place thereof "Conservation Department".

Page 3, line 1, strike out "commis-" and insert in italics in place thereof "Conservation Department", and on line 2, strike out "sion".

Page 3, line 14, strike out "commission" and insert in italics in place thereof "Conservation Department".

Page 4, line 2, strike out "com-" and insert in italics in place thereof "Conservation Department".

Line 3, strike out "mission".

Page 4, line 6, strike out "com-" and insert in italics "Conservation Department".

Line 7, strike out "mission".

Page 4, line 9, strike out "commission" and insert in italics in place thereof "Conservation Department".

Page 4, line 18, strike out "water supply commission" and insert in italics in place thereof "Conservation Department". At end of line 18 insert in italics "But whenever the waters of natural lakes in Putnam county have been or are acquired by the city of New York, or reservoirs have been or are constructed, whether under easements temporarily or permanently acquired, the residents of said county shall have the right of taking water from said lakes or reservoirs, subject to the regulations prescribed by chapter seven hundred and twenty-six of the Laws of nineteen hundred and five."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the special order of second and third reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1873, Rec. No. 498), entitled "An act to legalize, ratify and confirm all the proceedings of the city of Hornell, and of its common council, boards, officers and agents, and the qualified resident

taxpayers thereof, relative to the issue of bonds of said city in the amount of eighty thousand dollars, for the purpose of purchasing the necessary lands and constructing thereon a storage reservoir in connection with its municipal water system, and for building an additional pipe line from the filters to the city, and to authorize the issue thereof, and providing for the resale of said bonds in case of certain conditions."

On motion of Mr. Seeley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Ebbetts | Hearn | McDaniels | Smith A E |
| Allen | Egan | Herrick J J | McElligott | Smith T K |
| Beach | Evans | Herrick W R | McGrath | Stivers |
| Blauvelt | Farrell | Heyman | McKeon | Sullivan |
| Boylan | Fay | Higgins | Merritt | Sweet |
| Brace | Filley | Hinman | Murray | Talmage |
| Brennan | Fitzpatrick | Hoey | Myers | Thorn |
| Bridenbecker | Foley | Hollmann | Neupert | Trombly |
| Brooks | Friedman | Hoyt | Nolan | Walker |
| Brown | Geatons | Huber | O'Connor | Ward |
| Bryant | Gerhardt | Jackson | Oliver | Waring |
| Bush | Gerken | Jameson | O'Neill J J | Warren |
| Butler | Gillen | Jones | O'Neil M A | Washburn |
| Carew | Goldberg | Kennedy | Parker J S | Waters F A |
| Caughlan | Goldstein | Keys | Patrie | Waters R B |
| Cheney | Goodman | Lansing | Phillips C W | Weil |
| Coffey | Goodwin | LaReau | Pierce | Wende |
| Collin | Gould | Levy A J | Saunders | Wheeler |
| Colné | Graubard | Levy J | Seeley | White |
| Connell | Gregg | Lincoln | Shannon | Wilson |
| Cosad | Gurnett | Macdonald | Sheide | Winters |
| Cross | Hackett | MacGregor | Shepardson | Yale |
| Cuvillier | Hammond | Manley | Shlivek | Young |
| Donnelly | Hart | Martin | Shortt | Zorn |
| Drummond | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1874, Rec. No. 499), entitled "An act to legalize, ratify and confirm all the proceedings of the city of Hornell, and of its common council, boards, officers and agents, and of its qualified resident taxpayers, relative to the issue of the bonds of said city in the amount of thirty-six thousand dollars, for the purpose of purchasing a site and building a central fire station, and authorizing the issue thereof, and providing for the resale of said bonds in case of certain conditions."

On motion of Mr. Seeley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Ebbetts | Hearn | McDaniels | Smith A E |
| Allen | Egan | Herrick J J | McElligott | Smith T K |
| Beach | Evans | Herrick W R | McGrath | Stivers |
| Blauvelt | Farrell | Heyman | McKeon | Sullivan |
| Boylan | Fay | Higgins | Merritt | Sweet |
| Brace | Fillee | Hinman | Murray | Talmage |
| Brennan | Fitzpatrick | Hoey | Myers | Thorn |
| Bridenbecker | Foley | Hollmann | Neupert | Trombly |
| Brooks | Friedman | Hoyt | Nolan | Walker |
| Brown | Geatons | Huber | O'Connor | Ward |
| Bryant | Gerhardt | Jackson | Oliver | Waring |
| Bush | Gerken | Jameson | O'Neill J J | Warren |
| Butler | Gillen | Jones | O'Neil M A | Washburn |
| Carew | Goldberg | Kennedy | Parker J S | Waters F A |
| Caughlan | Goldstein | Keys | Patrie | Waters R B |
| Cheney | Goodman | Lansing | Phillips C W | Weil |
| Coffey | Goodwin | LaReau | Pierce | Wende |
| Collin | Gould | Levy A J | Saunders | Wheeler |
| Colné | Graubard | Levy J | Seeley | White |
| Connell | Gregg | Lincoln | Shannon | Wilson |
| Cosad | Gurnett | Macdonald | Sheide | Winters |
| Cross | Hackett | MacGregor | Shepardson | Yale |
| Cuvillier | Hammond | Manley | Shlivek | Young |
| Donnelly | Hart | Martin | Shortt | Zorn |
| Drummond | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1023, Rec. No. 365), entitled "An act to amend the Tax Law, in relation to the appointment of a transfer tax clerk in Nassau county."

Said bill having been announced,

Mr. A. E. Smith moved to amend as follows:

Page 1, line 7, strike out figure "3" and insert figure "4".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the special order of second and third reading.

Mr. Speaker announced the special order, being the Senate bill (No. 2065, Rec. No. 501), entitled "An act to improve the waterfront facilities of the city of New York, in relation to the receipt, delivery and shipment of freight."

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 119

NOES 2

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|------------|-----------|
| Adler | Drummond | Hart | Martin | Smith A E |
| Allen | Ebbetts | Hearn | McDaniels | Smith T K |
| Beach | Egan | Herrick J J | McElligott | Stivers |
| Blauvelt | Evans | Herrick W R | McGrath | Sullivan |
| Boylan | Farrell | Heyman | McKeon | Sweet |
| Brace | Fay | Higgins | Merritt | Talmage |
| Brennan | Filley | Hinman | Myers | Thorn |
| Bridenbecker | Fitzpatrick | Hoey | Neupert | Trombly |
| Brooks | Foley | Hollmann | Nolan | Walker |
| Brown | Friedman | Hoyt | O'Connor | Waring |
| Bryant | Geatons | Huber | Oliver | Warren |

| | | | | |
|-----------|-----------|-----------|--------------|------------|
| Bush | Gerhardt | Jackson | O'Neill J J | Washburn |
| Butler | Gerken | Jameson | O'Neil M A | Waters F A |
| Carew | Gillen | Jones | Parker J S | Waters R B |
| Caughlan | Goldberg | Kennedy | Patrie | Weil |
| Cheney | Goldstein | Keys | Phillips C W | Wende |
| Coffey | Goodman | Lansing | Pierce | Wheeler |
| Collin | Goodwin | LaReau | Saunders | White |
| Colné | Gould | Levy A J | Seeley | Wilson |
| Connell | Graubard | Levy J | Shannon | Winters |
| Cosad | Gregg | Lincoln | Sheide | Yale |
| Cross | Gurnett | Macdonald | Shepardson | Young |
| Cuvillier | Hackett | MacGregor | Shlivek | Zorn |
| Donnelly | Hammond | Manley | Shortt | |

Those who voted in the negative were:

Murray Ward

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2066, Rec. No. 502), entitled "An act to amend the Transportation Corporations Law, by adding thereto an additional article, ten-a, providing for the incorporation of freight terminal companies."

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|------------|-----------|
| Adler | Drummond | Hart | Martin | Smith A E |
| Allen | Ebbetts | Hearn | McDaniels | Smith T K |
| Beach | Egan | Herrick J J | McElligott | Stivers |
| Blauvelt | Evans | Herrick W R | McGrath | Sullivan |
| Boylan | Farrell | Heyman | McKeon | Sweet |
| Brace | Fay | Higgins | Merritt | Talmage |
| Brennan | Filley | Hinman | Myers | Thorn |
| Bridenbecker | Fitzpatrick | Hoey | Neupert | Trombly |
| Brooks | Foley | Hollmann | Nolan | Walker |
| Brown | Friedman | Hoyt | O'Connor | Ward |

| | | | | |
|-----------|-----------|-----------|--------------|------------|
| Bryant | Geatons | Huber | Oliver | Waring |
| Bush | Gerhardt | Jackson | O'Neill J J | Warren |
| Butler | Gerken | Jameson | O'Neil M A | Washburn |
| Carew | Gillen | Jones | Parker J S | Waters F A |
| Caughlan | Goldberg | Kennedy | Patrie | Waters R B |
| Cheney | Goldstein | Keys | Phillips C W | Weil |
| Coffey | Goodman | Lansing | Pierce | Wende |
| Collin | Goodwin | LaReau | Saunders | Wheeler |
| Colné | Gould | Levy A J | Seeley | White |
| Connell | Graubard | Levy J | Shannon | Wilson |
| Cosad | Gregg | Lincoln | Sheide | Winters |
| Cross | Gurnett | Macdonald | Shepardson | Yale |
| Cuvillier | Hackett | MacGregor | Shlivek | Young |
| Donnelly | Hammond | Manley | Shortt | Zorn |

In the negative:

Murray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 524, Int. No. 509), entitled "An act to amend the Public Health Law, in relation to the issuance of licenses to practice as licensed pharmacists."

On motion of Mr. Foley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117

NOES 4

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|------------|-----------|
| Adler | Egan | Herrick J J | McElligott | Smith A E |
| Allen | Evans | Herrick W R | McGrath | Smith T K |
| Blauvelt | Farrell | Heyman | McKeon | Stivers |
| Boylan | Fay | Higgins | Merritt | Sullivan |
| Brace | Filley | Hinman | Murray | Sweet |
| Brennan | Fitzpatrick | Hoey | Myers | Talmage |
| Bridenbecker | Foley | Hollmann | Neupert | Thorn |
| Brooks | Friedman | Hoyt | Nolan | Trombly |
| Brown | Geatons | Huber | O'Connor | Walker |
| Bryant | Gerhardt | Jackson | Oliver | Ward |

| | | | | |
|-----------|-----------|-----------|--------------|------------|
| Butler | Gerken | Jameson | O'Neill J J | Waring |
| Carew | Gillen | Jones | O'Neil M A | Washburn |
| Caughlan | Goldberg | Kennedy | Parker J S | Waters F A |
| Cheney | Goldstein | Keys | Patrie | Waters R B |
| Coffey | Goodman | Lansing | Phillips C W | Weil |
| Collin | Goodwin | Levy A J | Pierce | Wende |
| Colné | Gould | Levy J | Saunders | Wheeler |
| Connell | Graubard | Lincoln | Seeley | White |
| Cosad | Gregg | Macdonald | Shannon | Wilson |
| Cross | Gurnett | MacGregor | Sheide | Winters |
| Cuvillier | Hackett | Manley | Shepardson | Yale |
| Donnelly | Hammond | Martin | Shlivek | Young |
| Drummond | Hart | McDaniels | Shortt | Zorn |
| Ebbetts | Hearn | | | |

Those who voted in the negative were:

| | | | |
|-------|------|--------|--------|
| Beach | Bush | LaReau | Warren |
|-------|------|--------|--------|

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1523, Rec. No. 302), entitled "An act to amend the Penal Law, in relation to penalties for violations of the Labor Law."

Said bill having been announced.

Mr. A. E. Smith moved to amend as follows:

Strike out brackets and word "fifty" on line 18, page 2.

Strike out brackets and words "one hundred" on line 19, page 2.

Strike out brackets and words "one hundred" on line 20, page 2.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the special order of second and third reading.

The Senate bill (No. 22, Rec. No. 109) entitled "Concurrent resolution of the Senate and Assembly ratifying the proposed amendment to the Constitution of the United States, relating to taxes on incomes," was read the second time.

On motion of Mr. A. E. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

AYES 77

NOES 37

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|-----------|
| Beach | Farrell | Hackett | Levy A J | Patrie |
| Blauvelt | Fay | Hearn | Levy J | Seeley |
| Boylan | Fitzpatrick | Herrick J J | Manley | Sheide |
| Brace | Foley | Herrick W R | Martin | Shlivek |
| Brennan | Friedman | Heyman | McDaniel | Smith A E |
| Bridenbecker | Geatons | Higgins | McElligott | Trombly |
| Bush | Gerhardt | Hoey | McGrath | Turley |
| Carew | Gerken | Hoff | McKeon | Walker |
| Caughlan | Gillen | Hollmann | Murray | Ward |
| Collin | Goldberg | Hoyt | Myers | Warren |
| Colné | Goldstein | Huber | Neupert | Washburn |
| Cosad | Goodman | Jackson | O'Connor | Weil |
| Cuvillier | Gould | Jameson | Oliver | Wende |
| Donnelly | Graubard | Kennedy | O'Neill J J | Wheeler |
| Egan | Gregg | LaReau | O'Neil M A | Speaker |
| Evans | Gurnett | | | |

Those who voted in the negative were:

| | | | | |
|---------|---------|--------------|------------|------------|
| Adler | Filley | MacGregor | Shepardson | Thorn |
| Allen | Goodwin | Merritt | Smith T K | Waters R B |
| Baumes | Haines | Nolan | Stivers | White |
| Butler | Hammond | Parker J S | Sullivan | Wilson |
| Cheney | Hinman | Phillips C W | Sweet | Winters |
| Coffey | Jones | Pierce | Talmage | Yale |
| Connell | Lansing | Shannon | Terry | Young |
| Ebbetts | Lincoln | | | |

The bill (No. 2544, Int No. 1336) entitled "An act to amend the Labor Law, in relation to mercantile establishments," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 59

NOES 37

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-----------|------------|
| Beach | Egan | Gurnett | LaReau | Seeley |
| Blauvelt | Farrell | Hackett | Martin | Sheide |
| Boylan | Fay | Haines | McDaniels | Shepardson |
| Brennan | Fitzpatrick | Hearn | McGrath | Smith A E |
| Bridenbecker | Friedman | Herrick J J | McKeon | Smith T K |
| Bush | Geatons | Higgins | Merritt | Stivers |
| Carew | Gerhardt | Hoff | Myers | Turley |
| Caughlan | Gerken | Hoyt | Neupert | Warren |

| | | | | |
|----------|-----------|---------|-------------|----------|
| Coffey | Gillen | Huber | O'Connor | Washburn |
| Colné | Goldstein | Jackson | Oliver | Wende |
| Cosad | Gould | Jameson | O'Neill J J | Wheeler |
| Donnelly | Graubard | Kennedy | O'Neil M A | |

Those who voted in the negative were:

| | | | | |
|---------|-----------|------------|------------|---------|
| Adler | Cuvillier | Jones | Shannon | Weil |
| Allen | Ebbetts | Lansing | Shlivek | White |
| Brace | Filley | Lincoln | Sweet | Wilson |
| Bryant | Goodman | Murray | Talmage | Winters |
| Butler | Goodwin | Parker J S | Trombly | Yale |
| Cheney | Gregg | Patrie | Ward | Yeomans |
| Collin | Hammond | Pierce | Waters R B | Young |
| Connell | Heyman | | | |

Mr. Boylan moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

The bill (No. 2567, Int. No. 1123) entitled "An act to amend the Liquor Tax Law, in relation to obstructions in windows," having been announced for a third reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 2568, Int. No. 928) entitled "An act to provide for the improvement of the Black river canal north of Boonville and for the repair of the structures thereof, and making an appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|------------|-----------|
| Adler | Ebbetts | Hearn | McDaniels | Smith A E |
| Allen | Egan | Herrick J J | McElligott | Smith T K |
| Beach | Evans | Herrick W R | McGrath | Stivers |
| Blauvelt | Farrell | Heyman | McKeon | Sullivan |
| Boylan | Fav | Higgins | Merritt | Sweet |
| Brace | Filley | Hinman | Murray | Talmage |
| Brennan | Fitzpatrick | Hoey | Myers | Thorn |
| Bridenbecker | Foley | Hollmann | Neupert | Trombly |

| | | | | |
|-----------|-----------|-----------|--------------|------------|
| Brooks | Friedman | Hoyt | Nolan | Walker |
| Brown | Geatons | Huber | O'Connor | Ward |
| Bryant | Gerhardt | Jackson | Oliver | Waring |
| Bush | Gerken | Jameson | O'Neill J J | Warren |
| Butler | Gillen | Jones | O'Neil M A | Washburn |
| Carew | Goldberg | Kennedy | Parker J S | Waters F A |
| Caughlan | Goldstein | Keys | Patrie | Waters R B |
| Cheney | Goodman | Lansing | Phillips C W | Weil |
| Coffey | Goodwin | LaReau | Pierce | Wende |
| Collin | Gould | Levy A J | Saunders | Wheeler |
| Colné | Graubard | Levy J | Seeley | White |
| Connell | Gregg | Lincoln | Shannon | Wilson |
| Cosad | Gurnett | Macdonald | Sheide | Winters |
| Cross | Hackett | MacGregor | Shepardson | Yale |
| Cuvillier | Hammond | Manley | Shlivek | Young |
| Donnelly | Hart | Martin | Shortt | Zorn |
| Drummond | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

The Senate returned Assembly bill (No. 2220, Senate Reprint No. 2070, Int. No. 1791), entitled "An act to amend chapter eight hundred and forty-six of the Laws of eighteen hundred and sixty-seven, known as 'An act to incorporate the New York Board of Fire Underwriters,'" with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 1, strike out the word "six" and insert in place thereof the word "seven".

Page 1, line 5, strike out the numeral "6" and insert "7".

Page 2, line 4, after the word "buildings" insert "and".

Page 2, line 10, after the word "fire" strike out the semi-colon and insert in place thereof a comma.

Page 2, line 15, strike out the word "seven" and insert in place thereof the word "eight".

Page 2, line 17, strike out the numeral "7" and insert "8" in its place.

Page 3, line 2, after the word "agent" strike out the semi-colon and insert in place thereof a comma.

Page 3, line 4, after the word "represented" insert a comma.

Page 3, line 7, strike out the word "shall" and insert in italics in place thereof the word "may".

Page 3, line 9, strike out the word "of" and insert in place thereof the word "on" and on the same line after the word "returned" insert a comma.

Page 3, line 10, strike out the word "eight" and insert in place thereof the word "nine" and strike out the comma after the word "amount".

Page 3, line 16, capitalize the "s" in the word "State" at the end of said line.

Page 3, line 18, strike out the word "eight" and insert in place thereof the word "nine".

Page 3, line 20, strike out the numeral "8" and insert in place thereof the numeral "9".

Page 4, line 7, add "s" to the word "insurance" so that it will read "insurances".

Page 4, line 10, strike out the word "nine" and insert in place thereof the word "ten".

Page 4, line 2, strike out the numeral "9" and insert in place thereof the numeral "10".

Page 4, line 15, after "mand" insert a comma.

Page 4, line 16, place a bracket after the word "engaged".

Page 4, line 17, place a bracket after the word "in" and after the said bracket insert the following: "insuring property in any district or part of".

Page 4, line 20, after "ered" insert a comma, also after the word "personally" and strike out the comma after the word "agent" at the end of said line.

Page 4, line 23, strike out the comma after the words "association" and "agent".

Page 4, line 26, after the word "act" strike out the semi-colon and insert in place thereof a comma, also insert a comma after the words "shall" and "also" and strike out the comma after the word "forfeit".

Page 5, line 1, strike out the word "the".

Page 5, line 2, after the word "recovered" insert a comma and strike out at the end of said line the word "the" and insert in place thereof the word "any".

Page 5, line 3, strike out the comma after the word "thereof" and insert in its place a dash (—), also in the word "penalty" strike out the "y" and in its place add "ies" so that the word shall read "penalties".

Page 5, line 5, in the word "state" at the beginning of said line capitalize the "s", insert a comma after the said word and strike out the comma after the word "jurisdiction".

Mr. Hoey moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined

in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Drummond | Hearn | McDaniels | Smith A E |
| Allen | Ebbetts | Herrick J J | McElligott | Smith T K |
| Beach | Egan | Herrick W R | McGrath | Stivers |
| Blauvelt | Evans | Heyman | McKeon | Sullivan |
| Boylan | Farrell | Higgins | Merritt | Sweet |
| Brace | Fay | Hinman | Murray | Talmage |
| Brennan | Filley | Hoey | Myers | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | Neupert | Trombly |
| Brooks | Foley | Hoyt | Nolan | Walker |
| Brown | Friedman | Huber | O'Connor | Ward |
| Bryant | Geatons | Jackson | Oliver | Waring |
| Bush | Gerhardt | Jameson | O'Neill J J | Warren |
| Butler | Gerken | Jones | O'Neil M A | Washburn |
| Carew | Gillen | Kennedy | Parker J S | Waters F A |
| Caughlan | Goldberg | Keys | Patrie | Waters R B |
| Cheney | Goldstein | Lansing | Phillips C W | Weil |
| Coffey | Goodman | LaReau | Pierce | Wende |
| Collin | Goodwin | Levy A J | Saunders | Wheeler |
| Colné | Gould | Levy J | Seeley | White |
| Connell | Graubard | Lincoln | Shannon | Wilson |
| Constantine | Gregg | Macdonald | Sheide | Winters |
| Cosad | Gurnett | MacGregor | Shepardson | Yale |
| Cross | Hackett | Manley | Shlivek | Young |
| Cuvillier | Hammond | Martin | Shortt | Zorn |
| Donnelly | Hart | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned Assembly bill (No. 456, Senate Reprint No. 2026, Int. No. 447), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Manheim Brown, against the State, for damages alleged to have been sustained by him, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendment:

Page 2, line 1, strike out "judgment" and insert "judgment".

Mr. Higgins moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in

the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Ebbetts | Hearn | McDaniels | Smith A E |
| Baumes | Egan | Herrick J J | McElligott | Smith T K |
| Beach | Evans | Herrick W R | McGrath | Stivers |
| Blauvelt | Farrell | Heyman | McKeon | Sullivan |
| Boylan | Fay | Higgins | Merritt | Sweet |
| Brace | Filley | Hinman | Murray | Talmage |
| Brennan | Fitzpatrick | Hoey | Myers | Thorn |
| Bridenbecker | Foley | Hollmann | Neupert | Trombly |
| Brooks | Friedman | Hoyt | Nolan | Walker |
| Brown | Geatons | Huber | O'Connor | Ward |
| Bryant | Gerhardt | Jackson | Oliver | Waring |
| Bush | Gerken | Jameson | O'Neill J J | Warren |
| Butler | Gillen | Jones | O'Neil M A | Washburn |
| Carew | Goldberg | Kennedy | Pappert | Waters F A |
| Caughlan | Goldstein | Keys | Patrie | Waters R B |
| Cheney | Goodman | Lansing | Phillips C W | Weil |
| Coffey | Goodwin | LaReau | Pierce | Wende |
| Collin | Gould | Levy A J | Saunders | Wheeler |
| Colné | Graubard | Levy J | Seeley | White |
| Connell | Gregg | Lincoln | Shannon | Wilson |
| Cosad | Gurnett | Macdonald | Sheide | Winters |
| Cross | Hackett | MacGregor | Shepardson | Yale |
| Cuvillier | Hammond | Manley | Shlivek | Young |
| Donnelly | Hart | Martin | Shortt | Zorn |
| Drummond | | | | |

Ordered. That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned Assembly bill (No. 949, Senate Reprint No. 2111, Int. No. 858), entitled "An act to amend section two thousand six hundred and sixty-nine of the Code of Civil Procedure, relating to the public administrator of Kings county," with a message that they have concurred in the passage of the same, with the following amendments:

Page 3, line 1, after the end of said line insert in italics the following: "the board of estimate and apportionment of the city of New York upon the recommendation of".

Page 3, line 13, after the word "Kings" insert in italics the following: "The surrogate shall also appoint a counsel and a clerk to said public administrator, their salaries to be fixed by the board of estimate and apportionment of the city of New York upon the recommendation of said surrogate and to be raised and paid each year in the same manner as are other county charges."

Mr. Goldstein moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Ebbetts | Hearn | McDaniels | Smith A E |
| Allen | Egan | Herrick J J | McElligott | Smith T K |
| Beach | Evans | Herrick W R | McGrath | Stivers |
| Blauvelt | Farrell | Heyman | McKeon | Sullivan |
| Boylan | Fay | Higgins | Merritt | Sweet |
| Brace | Filley | Hinman | Murray | Talmage |
| Brennan | Fitzpatrick | Hoey | Myers | Thorn |
| Bridenbecker | Foley | Hollmann | Neupert | Trombly |
| Brooks | Friedman | Hoyt | Nolan | Walker |
| Brown | Geatons | Huber | O'Connor | Ward |
| Bryant | Gerhardt | Jackson | Oliver | Waring |
| Bush | Gerken | Jameson | O'Neill J J | Warren |
| Butler | Gillen | Jones | O'Neil M A | Washburn |
| Carew | Goldberg | Kennedy | Parker J S | Waters F A |
| Caughlan | Goldstein | Keys | Patrie | Waters R B |
| Cheney | Goodman | Lansing | Phillips C W | Ward |
| Coffey | Goodwin | LaReau | Pierce | Wende |
| Col'in | Gould | Levy A J | Saunders | Wheeler |
| Colne | Graubard | Levy J | Seeley | White |
| Connell | Gregg | Lincoln | Shannon | Wilson |
| Cosad | Gurnett | Macdonald | Sheide | Winters |
| Cross | Hackett | MacGregor | Shepardson | Yale |
| Cuvillier | Hammond | Manley | Shlivek | Young |
| Donnelly | Hart | Martin | Shortt | Zorn |
| Drummond | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2219, Senate Reprint No. 2144, Int. No. 1790), entitled "An act to amend the Tax Law, in relation to the salaries of transfer tax assistant and stenographer in the surrogate's court, New York county, and transfer tax clerk, Richmond county," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 5, after the word "ten" insert the following "and chapter one hundred and sixty of the Laws of nineteen hundred and eleven".

On page 2, line 22, strike out the words "one thousand" and insert in place thereof the words "fifteen hundred" (old matter).

On page 3, line 14, strike out the words "June first, nineteen hundred and" and insert in place thereof the word "immediately".

On page 3, line 15, strike out all of said line.

Amend title by adding a comma after the word "county" and the words "and transfer tax clerk, Richmond county".

On page 3, between lines 14 and 15, insert "13. In Richmond county, a transfer tax clerk, one thousand dollars."

Mr. Gerhardt moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Ebbetts | Hearn | McDaniels | Smith A E |
| Allen | Egan | Herrick J J | McElligott | Smith T K |
| Beach | Evans | Herrick W R | McGrath | Stivers |
| Blauvelt | Farrell | Heyman | McKeon | Sullivan |
| Boylan | Fay | Higgins | Merritt | Sweet |
| Brace | Filley | Hinman | Murray | Talmage |
| Brennan | Fitzpatrick | Hoey | Myers | Thorn |
| Bridenbecker | Foley | Hollmann | Neupert | Trombly |
| Brooks | Friedman | Hoyt | Nolan | Walker |
| Brown | Geatons | Huber | O'Connor | Ward |
| Bryant | Gerhardt | Jackson | Oliver | Waring |
| Bush | Gerken | Jameson | O'Neill J J | Warren |
| Butler | Gillen | Jones | O'Neil M A | Washburn |
| Carew | Goldberg | Kennedy | Parker J S | Waters F A |
| Caughlan | Goldstein | Keys | Patrie | Waters R B |
| Cheney | Goodman | Lansing | Phillips C W | Weil |
| Coffey | Goodwin | LaReau | Pierce | Wende |
| Collin | Gould | Levy A J | Saunders | Wheeler |
| Colné | Graubard | Levy J | Seeley | White |
| Connell | Gregg | Lincoln | Shannon | Wilson |
| Cosad | Gurnett | Macdonald | Sheide | Winters |
| Cross | Hackett | MacGregor | Shepardson | Yale |
| Cuvillier | Hammond | Manley | Shlivek | Young |
| Donnelly | Hart | Martin | Shortt | Zorn |
| Drummond | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 142, Senate Reprint No. 1951, Int. No. 141), entitled "An act to authorize the board of assessors of the city of New York to estimate and allow the damages sustained by owners of real property fronting upon streets approaching the Manhattan bridge over the East river in said city," with a message that they have concurred in the passage of the same, with the following amendment:

On page 2, line 7, after the word "damages" insert the following: ", without interest".

Mr. Gillen moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Ebbetts | Hearn | McDaniels | Smith A E |
| Allen | Egan | Herrick J J | McElligott | Smith T K |
| Beach | Evans | Herrick W R | McGrath | Stivers |
| Blauvelt | Farrell | Heyman | McKeon | Sullivan |
| Boylan | Fay | Higgins | Merritt | Sweet |
| Brace | Filley | Hinman | Murray | Talmage |
| Brennan | Fitzpatrick | Hoey | Myers | Thorn |
| Bridenbecker | Foley | Hollmann | Neupert | Trombly |
| Brooks | Friedman | Hoyt | Nolan | Walker |
| Brown | Geatons | Huber | O'Connor | Ward |
| Bryant | Gerhardt | Jackson | Oliver | Waring |
| Bush | Gerken | Jameson | O'Neill J J | Warren |
| Butler | Gillen | Jones | O'Neil M A | Washburn |
| Carew | Goldberg | Kennedy | Parker J S | Waters F A |
| Caughlan | Goldstein | Keys | Patrie | Waters R B |
| Cheney | Goodman | Lansing | Phillips C W | Weil |
| Coffey | Goodwin | LaReau | Pierce | Wende |
| Collin | Gould | Levy A J | Saunders | Wheeler |
| Colné | Graubard | Levy J | Seeley | White |
| Connell | Gregg | Lincoln | Shannon | Wilson |
| Cosad | Gurnett | Macdonald | Sheide | Winters |
| Cross | Hackett | MacGregor | Shepardson | Yale |
| Cuvillier | Hammond | Manley | Shlivek | Young |
| Donnelly | Hart | Martin | Shortt | Zorn |
| Drummond | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned Assembly bill (No. 2080, Senate Reprint No. 2078, Int. No. 1692), entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to salaries of certain officers and employees of the city magistrates' courts of said city," with a message that they have concurred in the passage of the same, with the following amendments:

Page 3, line 22, strike out the word "and".

Page 3, line 23, before the word "shall" insert in italics the following: "and court attendants".

Page 3, line 26, after the word "each" strike out period and insert a semi-colon and thereafter the words in italics "court attendants one thousand six hundred dollars each."

Page 6, line 23, after the word "mayor" insert a period and thereafter strike out all the words on said line.

Page 6, strike out lines 24, 25 and 26.

Page 7, strike out lines 1, 2, 3 and 4.

Mr. Hackett moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|------------|
| Adler | Ebbetts | Hearn | McDaniels | Smith A E |
| Allen | Egan | Herrick J J | McElligott | Smith T K |
| Beach | Evans | Herrick W R | McGrath | Stivers |
| Blauvelt | Farrell | Heyman | McKeon | Sullivan |
| Boylan | Fay | Higgins | Merritt | Sweet |
| Brace | Filley | Hinman | Murray | Talmage |
| Brennan | Fitzpatrick | Hoey | Myers | Thorn |
| Bridenbecker | Foley | Hollmann | Neupert | Trombly |
| Brooks | Friedman | Hoyt | Nolan | Walker |
| Brown | Geatons | Huber | O'Connor | Ward |
| Bryant | Gerhardt | Jackson | Oliver | Waring |
| Bush | Gerken | Jameson | O'Neill J J | Warren |
| Butler | Gillen | Jones | O'Neil M A | Washburn |
| Carew | Goldberg | Kennedy | Parker J S | Waters F A |
| Caughlan | Goldstein | Keys | Patrie | Waters R B |

| | | | | |
|-----------|----------|-----------|--------------|---------|
| Cheney | Goodman | Lansing | Phillips C W | Weil |
| Coffey | Goodwin | LaReau | Pierce | Wende |
| Collin | Gould | Levy A J | Saunders | Wheeler |
| Colné | Graubard | Levy J | Seeley | White |
| Connell | Gregg | Lincoln | Shannon | Wilson |
| Cosad | Gurnett | Macdonald | Sheide | Winters |
| Cross | Hackett | MacGregor | Shepardson | Yale |
| Cuvillier | Hammond | Manley | Shlivek | Young |
| Donnelly | Hart | Martin | Shortt | Zorn |
| Drummond | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 11, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1133, Int. No. 1007), entitled "An act to amend the Tax Law, relative to the making of special franchise valuations by the State Board of Tax Commissioners."

JOHN A. DIX.

Said bill having been announced.

Mr. A. E. Smith moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|------------|-----------|
| Adler | Ebbetts | Hearn | McDaniels | Smith A E |
| Allen | Egan | Herrick J J | McElligott | Smith T K |
| Beach | Evans | Herrick W R | McGrath | Stivers |
| Blauvelt | Farrell | Heyman | McKeon | Sullivan |
| Boylan | Fay | Higgins | Merritt | Sweet |
| Brace | Filley | Hinman | Murray | Talmage |
| Brennan | Fitzpatrick | Hoey | Myers | Thorn |
| Bridenbecker | Foley | Hollmann | Neupert | Trombly |
| Brooks | Friedman | Hoyt | Nolan | Walker |

| | | | | |
|-----------|-----------|-----------|--------------|------------|
| Brown | Geatons | Huber | O'Connor | Ward |
| Bryant | Gerhardt | Jackson | Oliver | Waring |
| Bush | Gerken | Jameson | O'Neill J J | Warren |
| Butler | Gillen | Jones | O'Neil M A | Washburn |
| Carew | Goldberg | Kennedy | Pappert | Waters F A |
| Caughlan | Goldstein | Keys | Patrie | Waters R B |
| Cheney | Goodman | Lansing | Phillips C W | Weil |
| Coffey | Goodwin | LaReau | Pierce | Wende |
| Collin | Gould | Levy A J | Saunders | Wheeler |
| Colné | Graubard | Levy J | Seeley | White |
| Connell | Gregg | Lincoln | Shannon | Wilson |
| Cosad | Gurnett | Macdonald | Sheide | Winters |
| Cross | Hackett | MacGregor | Shepardson | Yale |
| Cuvillier | Hammond | Manley | Shlivek | Young |
| Donnelly | Hart | Martin | Shortt | Zorn |
| Drummond | | | | |

Mr. A. E. Smith moved that said bill be recommitted to the committee on taxation and retrenchment, with instructions to report the same forthwith, amended as follows:

Page 2, lines 19 and 20, transpose.

Line 23, strike out.

Between lines 24 and 25, insert "Glens Falls, June first".

Between lines 25 and 26, insert "Lackawanna, June first".

Page 3, between lines 1 and 2, insert "Schenectady, July first".

Line 22, strike out.

Page 4, between lines 6 and 7, insert "Port Jervis, July first; Oneonta, July first".

Line 8, strike out and insert "Binghamton, September first".

Line 9, strike out "October" and insert "September".

Between lines 10 and 11, insert "New Rochelle, October first".

Page 5, line 12, strike out "commissioners of".

Line 13, strike out "highways of the;".

Same line, strike out "and village" and insert in place thereof "assessors".

Same page, line 16, strike out all after the period and strike out all of line 17 up to and including the period.

Line 23, strike out all after the period and strike out lines 24 and 25.

Page 6, strike out lines 1, 2 and 3.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Goldberg, from the committee on taxation and retrenchment, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the mayor of the city of New York was received and read, in the words following:

STATE OF NEW YORK — MAYOR'S OFFICE,
CITY OF NEW YORK.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment, certified copy of Assembly bill (No. 2357, Int. No. 1514), entitled "An act to amend section thirty-seven, chapter four of the Laws of eighteen hundred and ninety-one, as heretofore amended, generally."

WM. J. GAYNOR,
Mayor of the City of New York.

Said bill having been announced,

Mr. A. E. Smith moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Ebbetts | Hearn | McDaniels | Smith A E |
| Allen | Egan | Herrick J J | McElligott | Smith T K |
| Beach | Evans | Herrick W R | McGrath | Stivers |
| Blauvelt | Farrell | Heyman | McKeon | Sullivan |
| Boylan | Fay | Higgins | Merritt | Sweet |
| Brace | Filley | Hinman | Murray | Talmage |
| Brennan | Fitzpatrick | Hoey | Myers | Thorn |
| Bridenbecker | Foley | Hollmann | Neupert | Trombly |
| Brooks | Friedman | Hoyt | Nolan | Walker |
| Brown | Geatons | Huber | O'Connor | Ward |
| Bryant | Gerhardt | Jackson | Oliver | Waring |
| Bush | Gerken | Jameson | O'Neill J J | Warren |
| Butler | Gillen | Jones | O'Neil M A | Washburn |
| Carew | Goldberg | Kennedy | Parker J S | Waters F A |
| Caughlan | Goldstein | Keys | Patrie | Waters R B |
| Cheney | Goodman | Lansing | Phillips C W | Weil |
| Coffey | Goodwin | LaReau | Pierce | Wende |
| Collin | Gould | Levy A J | Saunders | Wheeler |
| Colné | Graubard | Levy J | Seeley | White |
| Connell | Gregg | Lincoln | Shannon | Wilson |
| Cosad | Gurnett | Macdonald | Sheide | Winters |
| Cross | Hackett | MacGregor | Shepardson | Yale |
| Cuvillier | Hammond | Manley | Shlivek | Young |
| Donnelly | Hart | Martin | Shortt | Zorn |
| Drummond | | | | |

Mr. A. E. Smith moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith, amended as follows:

Strike out the title and insert in place thereof the following title: "An act to amend section thirty-seven of chapter four of the Laws of eighteen hundred and ninety-one, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants,' as heretofore amended with reference to assessment of cost and expense necessary to be incurred for the construction of a rapid transit railroad and for property to be acquired for the construction and operation thereof, upon property benefited thereby,".

Page 4, line 15, before word "A", where this word first appears in the line, insert the following in italics: "The words 'rapid transit railroad,' 'railroad,' or 'improvement' as herein-after in this section used shall severally include a rapid transit railroad, and any part thereof, and any improvement or addition thereto, that shall be the subject of action hereunder, and shall severally include any and all property, including equipment other than rolling stock, that shall be necessary either for the construction or the operation of such a rapid transit railroad".

Line 16, strike out "road" in italics; also strike out bracket.

Line 18, after "tracts" insert in italics "have been or"; also after "authorized" insert in italics the following: "by this act"; also after "be" insert an italicized comma; also strike out the bracket.

Line 19, strike out the words "may be determined to" in italics.

Line 20, strike out the word "shall" in italics and insert in place thereof the word "may" in italics.

Line 24, strike out the words "or part thereof" in italics.

Line 25, strike out the brackets.

Line 26, strike out the brackets.

Page 5, line 1, strike out the word "of" in italics at the beginning of the line and insert in place thereof the words "any such" in italics; also insert a bracket "[" before the word "the"; also strike out the bracket "[" before the word "of"; also insert a "]" after the word "said"; also insert a bracket "[" before the word "and".

Line 2, strike out the new matter.

Line 3, strike out the new matter.

Line 4, strike out the new matter.

Line 22, after the word "railroad" insert an italicized comma and bracket "[",

Line 23, after the word "railroad" insert a bracket "]"

Line 24, strike out the brackets; also insert an italicized comma “,” at the end of the line.

Line 25, after the word “money” insert an italicized comma “,”.

Page 6, line 2, strike out bracket.

Line 5, strike out bracket.

Line 9, after the word “interest” and as part of such word insert the letter “s” in italics.

Page 6, line 18, strike out the bracket.

Line 21, after the word “improvement” insert an italicized comma “,”.

Line 23, strike out bracket and all new matter.

Line 24, strike out entire line.

Line 25, strike out the words “thereon, and” at the beginning of the line.

Line 26, after the word “assessment” in italics insert in italics the words “or assessments”.

Page 7, line 1, after the word “commission” strike out the comma “,” and insert in place thereof the following in italics “aforesaid so”.

Line 3, strike out the brackets and all new matter.

Line 4, strike out all new matter.

Line 5, strike out all new matter.

Page 9, line 9, strike out brackets.

Line 10, strike out bracket.

Line 13, strike out bracket.

Line 14, strike out italicized word “may”.

Page 10, line 1, after the word “of”, where it appears as the second word of the line, insert the following in italics: “the rapid transit construction fund as hereinafter directed to be constituted”; also before the word “the”, where it appears as the third word of the line, insert a bracket “[”.

Line 2, strike out the brackets; also insert a bracket “]” after the period; also strike out the remainder of the line after such bracket so inserted.

Lines 3 to 5, inclusive, strike out the new matter.

Line 11, after the italicized word “instalment” and as part of such word insert an italicized letter “s”.

Line 12, strike out brackets.

Page 11, line 13, place brackets “[]” before and after the word “the”, where it appears as the first word in the line; also before the word “moneys” insert in italics the word “all”.

Line 14, strike out the italicized word “the”, where it appears as the third word in the line, and insert in place thereof the words “all net” in italics.

Line 15, strike out the italicized words “or portion thereof”.

Line 19, place a bracket " [" before the word " or".

Line 20, strike out the brackets and all new matter.

Line 21, strike out the entire line.

Line 22, strike out the new matter; also strike out the bracket.

Line 23, strike out all the brackets and all new matter.

Line 24, strike out all the brackets; also insert a bracket "] " at the end of the line; also after such bracket so inserted at the end of the line insert the following in italics: " the following uses and, among such uses, only in the following order: (1) To the cost and expenses of the construction of such railroad; (2) To the acquisition of property necessary therefor, including equipment other than rolling stock; (3) To the retirement of the rapid transit construction bonds therefor ".

Page 13, line 16, strike out the italicized word " subway " and insert in place thereof in italics the following: " the rapid transit ".

Line 17, strike out the " way " where it appears in italics as the second syllable of the word " railway " and insert in place thereof as such second syllable " road " in italics.

Page 15, lines 2 to 19, inclusive, strike out lines 2 to 19, inclusive, and insert in place thereof the following in italics: " If the cost and expenses of construction of any such railroad shall be only partially assessed as aforesaid upon the property benefited, no provisions in any contract for the construction thereof shall become operative until the board of estimate and apportionment or other analogous local authority shall have consented thereto and shall have prescribed a limit to the amount of city bonds, if any, available for the purpose of said contract as hereinbefore provided, and no provisions in any contract for the construction of any railroad wholly or partly by means of local assessments shall become operative until the board of estimate and apportionment or other analogous local authority shall have levied an assessment for the construction thereof, or until rapid transit construction bonds issued by the comptroller under the provisions of this section in advance of the collection of such assessment shall have been sold in sufficient amounts when paid for to cover the costs and expense payable from assessments levied as aforesaid. In so far as any such railroad shall be constructed by means of local assessments as aforesaid, the contract for construction shall provide that any sums of money payable thereunder for or on account of such construction fund of such road, and in so far as any such road shall be constructed by means of moneys appropriated by the city the contract for construction shall provide that any sums of money payable thereunder for or on account of such construction shall be payable only from the proceeds of said appropriation. In either event, the contract for construction shall provide that

the city shall not be liable to any contractor for any sum or sums payable thereunder, except to the extent of moneys paid or to be paid into such rapid transit construction fund or derived or to be derived from said appropriation".

Page 15, line 24, after the italicized word "obligations" insert the word "incurred" in italics; also strike out the following italicized matter, "arising under the terms of the contract".

Line 25, strike out the italicized word "a", where it appears as the fourth word in the line, and insert in place thereof the italicized word "such"; also after the italicized word "railroad", where it first appears in this line, insert an italicized comma ","; also strike out the following italicized matter at the end of the line "or part of a railroad which has been".

Line 26, strike out the entire line.

Page 16, line 7, insert at the beginning of this line the following in italics: "or other such analogous local authority".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Foley, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Constantine offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2448, Int. No. 1948), entitled "An act to legalize and confirm the official acts of the various females appointed commissioners of deeds by the common council of the city of Niagara Falls between the thirteenth day of April, nineteen hundred and four, and the first day of January, nineteen hundred and eleven," for transmission to the city.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Bush offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the expenses arising on account of the memorial services for the late United States Sen-

ator David B. Hill, be paid out of the contingent fund of the Legislature, upon the certificate of the chairman of the joint committee having such exercises in charge.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Drummond | Hart | Martin | Shortt |
| Allen | Ebbetts | Hearn | McDaniels | Smith A E |
| Beach | Egan | Herrick J J | McElligott | Smith T K |
| Blauvelt | Evans | Herrick W R | McGrath | Stivers |
| Boylan | Farrell | Heyman | McKeon | Sullivan |
| Brace | Fay | Higgins | Merritt | Sweet |
| Brennan | Filley | Hinman | Murray | Talmage |
| Bridenbecker | Fitzpatrick | Hoey | Myers | Thorn |
| Brooks | Foley | Hollmann | Neupert | Trombly |
| Brown | Friedman | Hoyt | Nolan | Walker |
| Bryant | Geatons | Huber | O'Connor | Ward |
| Bush | Gerhardt | Jackson | Oliver | Warren |
| Butler | Gerken | Jameson | O'Neill J J | Washburn |
| Carew | Gillen | Jones | O'Neil M A | Waters F A |
| Caughlan | Goldberg | Kennedy | Parker J S | Waters R B |
| Cheney | Goldstein | Keys | Patrie | Weil |
| Coffey | Goodman | Lansing | Phillips C W | Wende |
| Collin | Goodwin | LaReau | Pierce | Wheeler |
| Colné | Gould | Levy A J | Saunders | White |
| Connell | Graubard | Levy J | Seeley | Wilson |
| Cosad | Gregg | Lincoln | Shannon | Winters |
| Cross | Gurnett | Macdonald | Sheide | Yale |
| Cuvillier | Hackett | MacGregor | Shepardson | Young |
| Donnelly | Hammond | Manley | Shlivek | Zorn |

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Bush offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That four thousand copies of the proceedings of the Legislature in relation to the memorial services for the late United States Senator David B. Hill be printed and distributed as follows: twenty copies to each Senator; fifteen copies to each member of Assembly; two hundred and fifty copies to the State officers; one hundred copies to the Clerks of the Senate and Assembly and their deputies; and the balance to the executors of the will of the deceased.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Ebbetts | Hearn | McDaniels | Smith A E |
| Allen | Egan | Herrick J J | McElligott | Smith T K |
| Beach | Evans | Herrick W R | McGrath | Stivers |
| Blauvelt | Farrell | Heyman | McKeon | Sullivan |
| Boylan | Fay | Higgins | Merritt | Sweet |
| Brace | Fillee | Hinman | Murray | Talmage |
| Brennan | Fitzpatrick | Hoey | Myers | Thorn |
| Bridenbecker | Foley | Hollmann | Neupert | Trombly |
| Brooks | Friedman | Hoyt | Nolan | Walker |
| Brown | Geatons | Huber | O'Connor | Ward |
| Bryant | Gerhardt | Jackson | Oliver | Waring |
| Bush | Gerken | Jameson | O'Neill J J | Warren |
| Butler | Gillen | Jones | O'Neil M A | Washburn |
| Carew | Goldberg | Kennedy | Parker J S | Waters F A |
| Caughlan | Goldstein | Keys | Patrie | Waters R B |
| Cheney | Goodman | Lansing | Phillips C W | Weil |
| Coffey | Goodwin | LaReau | Pierce | Wende |
| Collin | Gould | Levy A J | Saunders | Wheeler |
| Colné | Graubard | Levy J | Seeley | White |
| Connell | Gregg | Lincoln | Shannon | Wilson |
| Cosad | Gurnett | Macdonald | Sheide | Winters |
| Cross | Hackett | MacGregor | Shepardson | Yale |
| Cuvillier | Hammond | Manley | Shlivek | Young |
| Donnelly | Hart | Martin | Shortt | Zorn |
| Drummond | | | | |

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *July 11, 1911.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 1613, Rec. No. 371), entitled "An act to amend the Second Class Cities Law, relative to designation of official papers," for the purposes of amendment.

By order of the Senate,
PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *July 11, 1911.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 1256, Rec. No. 168), entitled "An act to amend the Penal Law, relative to appointment of special officers, and of making arrest without lawful authority," for the purpose of amendment.

By order of the Senate,

PATRICK E. McCABE,

Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for transmission to the city, Assembly bill (No. 2448, Int. No. 1948), entitled "An act to legalize and confirm the official acts of the various females appointed commissioners of deeds by the common council of the city of Niagara Falls between the thirteenth day of April, nineteen hundred and four, and the first day of January, nineteen hundred and eleven," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the bill (No. 2322, Int. No. 758), entitled "An act to authorize the commissioners of the home of the city and town of Newburgh to grant a right of way for railroad purposes across the premises owned by them," with a message that this bill was again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be, "Shall this bill pass notwithstanding the failure of the mayor of the city of Newburgh to return said bill within the time prescribed by the Constitution?"

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1781, Int. No. 1495), entitled "An act to ratify and confirm certain proceedings of the common council, mayor and comptroller of the city of Buffalo, relating to the sale of bonds of said city for the purpose of raising money with which to improve park property in said city," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

Also, the bill (No. 2559, Int. No. 1915), entitled "An act directing the board of estimate and apportionment of the city of New York, in its discretion, to cancel certain assessments on real property in the borough of Brooklyn, and refund assessments heretofore paid, and assess the same on the borough of Brooklyn."

Also, the bill (No. 2564, Int. No. 872), entitled "An act to authorize the comptroller of the city of New York to cancel certain assessments on real property for the improvement of Grand street, in the borough of Brooklyn, from Hooper street to Bridge plaza, and to provide for the refunding of such assessments heretofore paid," with a message that they have reconsidered their vote by which said bill was passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

Also, the bill (No. 2565, Int. No. 1793), entitled "An act to amend chapter six hundred and eighty-five of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law, relating to the department of public safety of the city of Syracuse,'" with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Syracuse.

The Senate returned the bill (No. 2504, Int. No. 585), entitled "An act to amend the Judiciary Law, in relation to the salary of the calendar clerk of the surrogate's court of Kings county."

Also, the bill (No. 2160, Int. No. 1737), entitled "An act to amend the Highway Law, in relation to a new route in the State highway system in the counties of Seneca and Ontario," with a

message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 2417, Int. No. 1402), entitled "An act to provide for the regulation and improvement of the railroad, terminals and approaches thereto, and of the motive power to be used thereon, of the New York Central and Hudson River Railroad Company in the city of New York, and, for such purpose, for discontinuing the use at grade by said company of certain streets, avenues, public parks or places in said city, and also for such purpose to authorize the city of New York to grant real property and rights to said railroad company and to acquire real property and rights from said railroad company," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, July 11, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for transmission to the city Assembly bill (No. 2448, Int. No. 1948), entitled "An act to legalize and confirm the official acts of the various females appointed commissioners of deeds by the common council of the city of Niagara Falls between the thirteenth day of April, nineteen hundred and four, and the first day of January, nineteen hundred and eleven."

JOHN A. DIX.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Niagara Falls.

On motion of Mr. T. K. Smith, and by unanimous consent, the fact that he was unavoidably absent from the session of June 29th and would, if present, have voted "no" upon the final passage of Senate bill (No. 1291, Rec. No. 334), entitled "An act to amend the Highway Law, in relation to the State Commission of Highways," was ordered spread upon the journal.

On motion of Mr. A. E. Smith, the House adjourned.

WEDNESDAY, JULY 12, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Chas. S. Hager.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Donnelly gives notice that he requests that the Senate bill introduced by Mr. Cronin (No. 473, Rec. No. 226), entitled "An act to amend the Banking Law, relative to meetings of directors or trustees and reports thereto," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Donnelly gives notice that he requests that the Senate bill introduced by Mr. Cronin (No. 471, Rec. No. 225), entitled "An act to amend the Banking Law, relative to reports," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Donnelly gives notice that he requests that the Senate bill introduced by Mr. Cronin (No. 1198, Rec. No. 280), entitled "An act to amend the Banking Law, relative to oaths of trustees of saving banks and vacancies in the office of trustees," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Sweet gives notice that he requests that the Senate bill introduced by Mr. Cobb (No. 1772, Rec. No. 425), entitled "An act authorizing the common council of the city of Fulton to audit a certain claim and raise money for paying the same," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hoey gives notice that he requests that the Senate bill introduced by Mr. T. D. Sullivan (No. 1840, Rec. No. 486), entitled "An act to amend the Insurance Law, as to the investments of foreign mutual fire insurance corporations of other States," a copy of which is hereto annexed, be made a special order, and asks

that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Boylan gives notice that he requests that the Senate bill introduced by Mr. McManus (No. 2038, Rec. No. 507), entitled "An act in relation to the office of the surrogate of the county of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Wende gives notice that he requests that the Senate bill introduced by Mr. Burd (No. 2036, Rec. No. 500), entitled "An act to amend the Town Law, in relation to the acquisition of land for town purposes," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Gurnett gives notice that he requests that the Senate bill introduced by Mr. Murtaugh (No. 1891, Rec. No. 516), entitled "An act to amend chapter one hundred and twenty-five of the Laws of eighteen hundred and sixty-one, entitled 'An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village,' in relation to the indebtedness of the village," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Bussey (No. 983, Rec. No. 452), entitled "An act to release to Archie D. Sanders all the right, title and interest of the people of the State of New York in and to certain real estate in the town of Stafford, in the county of Genesee," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. O'Brien (No. 1965, Rec. No. 508), en-

titled "An act to establish a commission to inquire into the prices, purity, production, distribution and consumption of food and food stuffs, farm and dairy produce in the State of New York, and to suggest legislation with respect thereto and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Foley gives notice that he requests that the Senate bill introduced by Mr. Newcomb (No. 1680, Rec. No. 459), entitled "An act to amend chapter four hundred and ten of the Laws of eighteen hundred and ninety-three, entitled 'An act to incorporate the New York City Baptist Mission Society, and to authorize the transfer of property to it by the Southern New York Baptist Association and the American Baptist Home Mission Society,'" a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Wende gives notice that he requests that Assembly bill (No. 2017, Int. No. 1656), entitled "An act to amend the Judiciary Law, in relation to the compensation of attendants of Appellate Division in the fourth department," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Foley gives notice that he requests that Assembly bill (No. 1482, Int. No. 1258), entitled "An act to amend the Tenement-House Law, in relation to lighting and ventilation of rooms," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Lansing gives notice that he requests that Assembly bill (No. 1436, Int. No. 1214), entitled "An act to incorporate the Federal Council of the Churches of Christ in America," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose

of making the said bill a special order on second and third reading.

Mr. Wende gives notice that he requests that Assembly bill (No. 2203, Int. No. 1778), entitled "An act to amend the Judiciary Law, constituting chapter thirty-five of the Consolidated Laws, relating to the designation by clerks of certain counties of assistants to prepare the court calendars," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Foley gives notice that he requests that Assembly bill (No. 2538, Int. No. 1838), entitled "An act to amend the Inferior Criminal Courts Act of the city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Bush gives notice that he requests that Assembly bill (No. 1511, Int. No. 1281), entitled "An act to amend the General Municipal Law, in relation to submitting to the electors of a city, village or town a proposition to permit the playing of baseball therein on Sunday," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Foley gives notice that he requests that Assembly bill (No. 2490, Int. No. 1857), entitled "An act to amend the Tenement-House Law, generally," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Foley gives notice that he requests that the Senate bill introduced by Mr. Cullen (No. 2020, Rec. No. 477), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' generally," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills :

“An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled ‘An act to revise the charter of the city of Buffalo,’ in relation to the city and ward boundaries ” (No. 2155, Rec. No. 525), which was read the first time and referred to the committee on affairs of cities.

“An act providing for the re-establishment of the State library, and making appropriation therefor ” (No. 2161, Rec. No. 526), which was read the first time and referred to the committee on ways and means.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Foley (No. 1482, Int. No. 1258), entitled “An act to amend the Tenement-House Law, in relation to lighting and ventilation of rooms.”

Also, Assembly bill introduced by Mr. Wende (No. 2017, Int. No. 1656), entitled “An act to amend the Judiciary Law, in relation to the compensation of attendants of Appellate Division in the fourth department.”

Also, Assembly bill introduced by Mr. Wende (No. 2203, Int. No. 1778), entitled “An act to amend the Judiciary Law, constituting chapter thirty-five of the Consolidated Laws, relating to the designation by clerks of certain counties of assistants to prepare the court calendars.”

Also, Assembly bill introduced by Mr. Lansing (No. 1436, Int. No. 1214), entitled “An act to incorporate the Federal Council of the Churches of Christ in America.”

Also, Assembly bill introduced by Mr. Bush (No. 1511, Int. No. 1281), entitled “An act to amend the General Municipal Law, in relation to submitting to the electors of a city, village or town a proposition to permit the playing of baseball therein on Sunday.”

Also, Assembly bill introduced by Mr. Foley (No. 2538, Int. No. 1838), entitled “An act to amend the Inferior Criminal Courts Act of the city of New York,” reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after

the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Cronin (No. 473, Rec. No. 226), entitled "An act to amend the Banking Law, relative to meetings of directors or trustees and reports thereto."

Also, Senate bill introduced by Mr. Cronin (No. 471, Rec. No. 225), entitled "An act to amend the Banking Law, relative to reports."

Also, Senate bill introduced by Mr. Cronin (No. 1198, Rec. No. 280), entitled "An act to amend the Banking Law, relative to oaths of trustees of savings banks and vacancies in the office of trustees."

Also, Senate bill introduced by Mr. Cobb (No. 1772, Rec. No. 425), entitled "An act authorizing the common council of the city of Fulton to audit a certain claim and raise money for paying the same."

Also, Senate bill introduced by Mr. McManus (No. 2038, Rec. No. 507), entitled "An act in relation to the office of the surrogates of the county of New York."

Also, Senate bill introduced by Mr. T. D. Sullivan (No. 1840, Rec. No. 486), entitled "An act to amend the Insurance Law, as to the investments of foreign mutual fire insurance corporations of other States."

Also, Senate bill introduced by Mr. Murtaugh (No. 1891, Rec. No. 516), entitled "An act to amend chapter one hundred and twenty-five of the Laws of eighteen hundred and sixty-one, entitled 'An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village,' in relation to the indebtedness of the village."

Also, Senate bill introduced by Mr. Burd (No. 2036, Rec. No. 500), entitled "An act to amend the Town Law, in relation to the acquisition of land for town purposes."

Also, Senate bill introduced by Mr. O'Brien (No. 965, Rec. No. 508), entitled "An act to establish a commission to inquire into the prices, purity, production, distribution and consumption of food and food stuffs, farm and dairy produce in the State of New York, and to suggest legislation with respect thereto and making an appropriation therefor."

Also, Senate bill introduced by Mr. Bussey (No. 983, Rec. No. 452), entitled "An act to release to Archie D. Sanders all the right, title and interest of the people of the State of New York in and to certain real estate in the town of Stafford, in the county of Genesee."

Also, Senate bill introduced by Mr. Newcomb (No. 1680, Rec. No. 459), entitled "An act to amend chapter four hundred and ten of the Laws of eighteen hundred and ninety-three, entitled 'An act to incorporate the New York City Baptist Mission Society,' " and to authorize the transfer of property to it by the Southern New York Baptist Association and the American Baptist Home Mission Society," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Cullen (No. 2020, Rec. No. 477), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' generally," reported the same with the following amendments:

Page 12, line 7, strike out all of that line following the word "preserved."

Page 12, strike out all of lines 8, 9 and 10.

Page 12, strike out all of line 11, preceding the word "Such".

Page 16, line 20, after the word "capacity" insert "There shall be a chief clerk of the municipal court who shall be appointed by the board of justices thereof on or before the first day of September, nineteen hundred and eleven; he shall act as secretary of the board and shall perform such other duties as may be required of him by the rules of said board and shall receive a salary of five thousand dollars per annum".

Page 19, line 24, after the word "situated" insert "The chief clerk may be removed for cause after due notice and an opportunity of being heard by the Appellate Division of the Supreme Court within the judicial district where such chief clerk resides".

and requests that said bill be reprinted, as amended, and recommitted to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Foley (No. 2490, Int. No. 1857), entitled "An act to amend the Tenement-House Law, generally," reported in favor of the passage of the same, with the following amendments:

- In title strike out hyphen in word "tenement house".
- Page 1, line 3, strike out hyphen in word "tenement house".
- Line 6, strike out hyphen in word "tenement house".
- Page 2, line 9, strike out hyphen in word "tenement house".
- Line 20, strike out hyphen in word "tenement house".
- Line 22, strike out hyphen in word "tenement house".
- Line 23, strike out hyphen in word "tenement house".
- Page 3, line 3, strike out hyphen in word "tenement house".
- Line 10, strike out hyphen at end of line.
- Line 13, strike out hyphen twice occurring in line.
- Line 14, strike out hyphen at end of line.
- Line 17, strike out hyphen in word "tenement house".
- Page 4, line 18, strike out hyphen at end of line.
- Line 20, strike out hyphen in word "stair-halls".
- Line 23, strike out hyphen in word "stair-halls".
- Same line, insert hyphen between "non" and "fireproof".
- Line 24, strike out hyphen in word "tenement house".
- Line 26, strike out hyphen in word "ment houses".
- Page 5, line 7, strike out hyphen in word "stair halls".
- Line 13, strike out hyphen in word "stair halls".
- Line 15, strike out hyphen in word "tenement houses".
- Line 18, strike out hyphen in word "stair halls".
- Page 6, line 1, insert hyphen in word "non-fireproof".
- Same line, strike out hyphen in word "tenement house".
- Page 6, line 8, strike out hyphen in word "wire glass".
- Line 11, insert hyphen between "non" and "fireproof".
- Line 12, insert hyphen between "non" and "fireproof".
- Line 14, strike out hyphen in word "wire glass".
- Line 15, strike out hyphen in word "tenement house".
- Line 19, strike out hyphen in word "tenement houses".
- Line 25, strike out hyphen in word "tenement houses".
- Page 7, line 8, insert hyphen between "non" and "fireproof".
- Page 7, line 8, strike out hyphen in word "tenement houses".
- Line 14, strike out hyphen in word "tenement houses".

- Line 21, strike out hyphen in word " first class ".
Same line, insert hyphen between " non " and " fireproof ".
Page 8, line 2, strike out hyphen in word " tenement house ".
Line 11, strike out hyphen in word " tenement house ".
Line 14, strike out hyphen in word " tenement house ".
Line 15, strike out hyphen at end of line.
Line 25, strike out hyphen in word " well hole ".
Page 9, line 3, strike out hyphen in word " tenement house ".
Line 4, strike out hyphen in word " tenement house ".
Line 5, strike out dot at end of line.
Line 6, after " ceiling " insert ",".
Line 12, strike out hyphen in word " tenement house ".
Line 15, strike out hyphen in word " tenement house ".
At end of line strike out hyphen.
Line 17, strike out hyphen in word " tenement house ".
Line 19, strike out hyphen in word " ment house ".
Line 21, strike out hyphen in word " tenement house ".
Page 10, line 6, strike out hyphen in word " tenement house ".
Line 14, make two words of " pent houses ".
Line 17, make two words of " pent houses ".
Line 23, strike out hyphen in word " tenement house ".
Page 11, line 5, strike out hyphen in word " tenement houses ".
Line 7, after " courts " insert ",".
Line 14, strike out hyphen in word " tenement house ".
Page 12, line 10, strike out "," after " beams ".
Line 14, strike out hyphen at end of line.
Line 16, insert hyphen between " bath " and " rooms ".
Line 21, strike out hyphen in word " tenement houses ".
Same line, strike out "," after " erected ".
Line 25, strike out hyphen in word " tenement house ".
Page 13, line 5, strike out hyphen in word " tenement house ".
Line 9, strike out hyphen in word " tenement house ".
Page 14, line 1, strike out hyphen at end of line.
Line 9, strike out hyphen in word " tenement house ".
Line 10, strike out hyphen in word " tenement houses ".
Line 16, strike out hyphen in word " last named ".
Line 16, strike out hyphen in word " tenement houses ".
Line 22, strike out hyphen in word " tenement house ".
Page 15, line 9, strike out hyphen in word " tenement house ".
Line 18, strike out hyphen in word " tenement house ".
Line 22, strike out hyphen in word " tenement house ".
Page 16, line 5, strike out hyphen in word " tenement house ".
Line 10, strike out hyphen in word " tenement house ".
Line 15, strike out hyphen in word " ment houses ".
Line 18, strike out hyphen in word " tenement houses ".

Page 17, line 8, strike out hyphen in word "toilet room".

Line 9, strike out hyphen in word "tenement house".

Line 13, strike out hyphen in word "tenement house".

Line 16, strike out hyphen in word "tenement house".

Line 20, strike out hyphen in word "tenement house".

Page 18, line 9, strike out hyphen in word "ment houses".

Line 15, strike out hyphen in word "tenement house".

Line 16, strike out hyphen at end of line.

Line 21, after "therewith" insert ",".

and that the same be reprinted, as amended, and when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported, which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Mr. A. E. Smith, from the committee on ways and means, to which was referred Assembly bill introduced by Mr. A. E. Smith (No. 2572, Int. No. 1927), entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations," reported in favor of the passage of the following substitute bill:

(See Appendix No. 30.)

which report was agreed to, and said substitute bill ordered printed, and placed on the order of second reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Public Health Law, in relation to the issuance of licenses to practice as licensed pharmacists." (No. 524, Int. No. 509.)

"An act to amend chapter seven hundred and six of the Laws of nineteen hundred and one, entitled 'An act to make the office of register of the county of Kings a salaried office, and regulating the management of said office,' in relation to the compensation and duties of the register." (No. 958, Int. No. 867.)

On motion of Mr. Lansing, the committee on rules was instructed to report Assembly bill (No. 2065, Int. No. 1677), entitled "An act to provide for the acquisition and preservation of the historic tract or parcel of land known as the Bennington battlefield, situate in the town of Hoosick, in the county of Rensselaer, and making an appropriation therefor," with the following amendments:

Page 3, line 22, after the word "land" insert " , after title thereto is acquired."

Page 3, line 24, strike out the period after "purposes" and insert "and shall be under the care and control of the New York State Historical Association. Said association may adopt rules and regulations for the admission of visitors to such premises, but no charge or fee shall be exacted for such admission."

Page 4, line 4, insert before the word "lands" "acquisition of the".

Page 4, line 9, strike out "carry out the" and insert "effect the acquisition of said lands."

Page 4, line 10, strike out the line.

Mr. Speaker, from the committee on rules, reported said bill amended as directed.

On motion of Mr. Lansing, said bill was ordered reprinted, as amended, and recommitted to said committee.

A message from the Governor, by the hand of his Secretary, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

July 12, 1911.

To the Legislature:

The special franchise tax has been a source of litigation ever since its enactment in 1899. Many of the points litigated have now been settled finally, but some still remain open. One of the vexed questions has been the right of those assessed for special franchises to have these valuations equalized to the same percentage of full value to which ordinary real estate in the tax district was assessed by the local assessors. Although the courts have decided that such equalization must be made as a matter of right, the law on the subject remains so defective that it is necessary in each case for a writ of certiorari to be issued and decided before such equalization can be entered on the local tax-roll. Thousands of such writs are issued annually, thus putting a wholly unnecessary

burden upon the courts, upon our State and local officials, the Attorney-General's office and on those who pay these taxes. Such a condition in our administrative system should not be allowed to continue.

The assessment for taxation of the value of a special franchise under authority of the Tax Law is made by the State Board of Tax Commissioners, and the valuation upon which this board finally determines is certified by them to the assessors of the proper district, to be placed by them on the local tax-roll. The courts have held that the assessment by the State board must be regarded under the existing statute as a full valuation, and that neither the State board nor the local officials have any statutory authority to reduce such assessments to a percentage basis. The courts have also held, however, that the owners of such special franchises are entitled to have such assessment reduced to the same basis at which other real estate in the district is assessed by the local officials. We thus have the curious situation of the State board being compelled to make an assessment which neither it nor the local officials can correct, but which must be corrected before any taxes upon it can be collected. Such correction can only be made after the local tax rate is fixed, and by court proceedings, so that not only is the collection of the tax delayed but local finances are deranged, because the tax rate is calculated upon the basis of an assessment-roll, part of which the courts afterward reduce.

The Court of Appeals in the case of the Jamaica Water Supply Company has said that the Legislature should empower the State Board of Tax Commissioners to make an equalized assessment. The lower courts in settling these special franchise cases accept the equalization table of the State board. The State Board of Tax Commissioners in their annual reports have discussed this subject extensively, and have recommended the change in the statute so that the board may equalize these assessments in the first instance before certifying them to the local authorities. Such a change in the law would greatly simplify the administration of this statute, which involves assessments of more than \$600,000,000 annually, remove a useless burden from the courts and facilitate the local collection of taxes upon this class of property.

A bill is before you, Assembly bill 1835, introductory 494, by Mr. Goldberg, which will accomplish these desired ends. It does not affect the rights of persons or corporations assessed as to their remedies at law, but will remove the present necessity for most of this class of litigation. The provisions of this bill are in exact conformity with one of the resolutions of the Utica Tax Conference, composed of tax officials from all parts of the State,

who have to deal constantly with the vexations arising from the existing statute.

Section 182 of the Tax Law, under which corporations are taxed for the privilege of doing business in a corporate capacity, has been a constant source of litigation. It is so complicated and involved that no ordinary business man can understand its provisions, and even the Court of Appeals has complained that the Legislature seems to have tried to express a very simple idea in very complicated language. Yet over 40,000 business corporations are assessed annually under the statute and are compelled to make reports in regard to which their officers are in a hopeless confusion, and even their attorneys are frequently bewildered in their efforts to comply with its provisions. This statute was amended in 1906 with the general intention of providing a minimum tax based upon the par value of issued capital stock, determined to be employed in business in this State, with a reasonable increase based upon the amount of dividends declared. The purpose of this change was to overcome the effect of a decision of the Court of Appeals, and this purpose was subsequently recognized in a dissenting opinion in which three members of the court concurred. But owing chiefly to an amendment the following year to another section of the law, a majority of the court held that this intention of the Legislature had not been expressed with sufficient clearness to justify the court in changing its former interpretation of the law.

As a result of this last decision the State is losing over \$400,000 annually, as nearly as can be determined, for the reason that in certain cases the tax must be computed upon the actual value of the assets of the corporation, and not upon its capitalization.

The State Comptroller has, for several years, recommended a simplification of this law, for the purpose of making fairer distribution of the tax burden, correcting the loss of revenue incident to the court decision referred to, and also to avoid the necessity for the annual appraisal of corporate assets.

If this franchise tax upon corporations is computed upon the par value of issued stock, its collection will require only a simple mathematical calculation, which any taxpayer can understand, and which will avoid the necessity for the exercise of judgment on the part of the assessing official, which frequently, and of necessity, must be arbitrary.

A business tax upon a business corporation should be so simple in its terms that any officer of the corporation can understand the law, compute the tax and make a payment without the aid of an attorney and a law-suit.

Senate bill 1577, by Mr. Harte, proposes a simple mathematical rule for the assessment of this tax, following as closely as possible the general theory the existing statute and conforming to the recommendations of the Comptroller's office.

The bill will make the law easy to understand and administer, it will prevent litigation and it will result in a considerable increase of revenue to the State, collected upon a fair and reasonable basis.

This bill proposes a minimum tax of three-quarters of a mill on each dollar of issued capital stock employed within the State. This amounts to a charge of \$75 on a capitalization of \$100,000 for the privilege of using a corporate name and exercising corporate powers. When dividends higher than 3 per cent. are declared, the tax rate is increased one-quarter of a mill for each 1 per cent. of dividends, thus being equivalent to an income tax of 2½ per cent. On corporations paying 6 per cent. of dividends or over, the rate and amount of tax would be exactly the same as under the existing law. All necessity for appraisal and all possibility for dispute and litigation in regard to corporations paying less than 6 per cent. dividends will be eliminated.

I recommend the passage of each of these bills.

JOHN A. DIX.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

| | | | | |
|--------------|-------------|-------------|-------------|------------|
| Adler | Dawson | Hammond | McElligott | Shlivek |
| Allen | Day | Hart | McGrath | Shortt |
| Baumes | Donnelly | Herrick J J | McKeon | Smith A E |
| Beach | Donovan | Herrick W R | Merritt | Smith T K |
| Blauvelt | Ebbetts | Heyman | Miller | Spielberg |
| Boylan | Egan | Higgins | Monczynski | Stivers |
| Brace | Evans | Hinman | Mork | Sullivan |
| Brennan | Farrell | Hoey | Murray | Sweet |
| Brereton | Fay | Hollmann | Neupert | Talmage |
| Bridenbecker | Filley | Hoyt | Nolan | Terry |
| Brooks | Fitzpatrick | Huber | O'Connor | Thorn |
| Bryant | Foley | Jackson | Oliver | Trombly |
| Bush | Friedman | Jameson | O'Neill J J | Warren |
| Butler | Geatons | Jones | O'Neil M A | Waters F A |
| Carew | Gerhardt | Keys | Parker A | Waters R B |
| Caughlan | Gerken | Lansing | Parker J S | Weil |
| Chanler | Gillen | LaReau | Patrie | Wende |

| | | | | |
|-------------|-----------|-----------|----------------|---------|
| Cheney | Goldberg | Levy A J | Phillips C W | Wheeler |
| Coffey | Goldstein | Levy J | Phillips J S | White |
| Collin | Goodwin | Lincoln | Pierce | Wilson |
| Colné | Gould | Macdonald | Saunders | Winters |
| Connell | Graubard | MacGregor | Schifferdecker | Yale |
| Constantine | Gregg | Manley | Seeley | Yeomans |
| Cosad | Gurnett | Martin | Shannon | Young |
| Cross | Hackett | McCue | Sheide | Zorn |
| Cuvillier | Haines | McDaniels | Shepardson | Speaker |

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 22, Rec. No. 109), entitled "Concurrent resolution of the Senate and Assembly ratifying the proposed amendment to the Constitution of the United States, relating to taxes on incomes."

Debate was had thereon.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 91

NOES 42

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Beach | Egan | Hackett | Martin | Schifferdecker |
| Blauvelt | Evans | Hearn | McCue | Seeley |
| Boylan | Farrell | Herrick J J | McDaniels | Shlivek |
| Brace | Fay | Herrick W R | McElligott | Shortt |
| Brennan | Fitzpatrick | Heyman | McGrath | Smith A E |
| Bridenbecker | Foley | Higgins | McKeon | Spielberg |
| Brooks | Friedman | Hoey | Miller | Trombly |
| Bush | Geatons | Hoff | Monczynski | Turley |
| Carew | Gerhardt | Hollmann | Mork | Walker |
| Caughlan | Gerken | Hoyt | Murray | Ward |
| Chanler | Gillen | Huber | Neupert | Warren |
| Collin | Goldberg | Jackson | O'Connor | Washburn |
| Colné | Goldstein | Jameson | Oliver | Waters F A |
| Cosad | Goodman | Kennedy | O'Neill J J | Weil |
| Cuvillier | Gould | LaReau | O'Neil M A | Wende |
| Dawson | Graubard | Levy A J | Parker A | Wheeler |
| Day | Gregg | Levy J | Patrie | Zorn |
| Donnelly | Gurnett | Manley | Saunders | Speaker |
| Donovan | | | | |

Those who voted in the negative were:

| | | | | |
|-------------|---------|--------------|------------|------------|
| Adler | Ebbetts | Lansing | Pierce | Thorn |
| Baumes | Filley | Lincoln | Shannon | Waters R B |
| Bryant | Goodwin | MacGregor | Shepardson | White |
| Butler | Haines | Merritt | Smith T K | Wilson |
| Cheney | Hammond | Nolan | Stivers | Winters |
| Coffey | Hart | Parker J S | Sullivan | Yale |
| Connell | Hinman | Phillips C W | Talmage | Yeomans |
| Constantine | Jones | Phillips J S | Terry | Young |
| Cross | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1308, Assembly Reprint No. 2569, Rec. No. 432), entitled "An act to amend the General Business Law, constituting chapter twenty of the Consolidated Laws, in relation to the erection of the cinematograph or other apparatus for projecting moving pictures."

Said bill having been announced,

Mr. Oliver moved to amend as follows:

At the end of line 6 of page 5 insert " This act shall not apply to cities which have local laws or ordinances, now in force, which provide for fire-proof booths of any kind for moving picture machines or apparatus."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the special order of second and third reading.

Mr. Speaker announced the special order, being the bill (No. 2555, Int. No. 1583), entitled "An act to amend the Greater New York charter, in relation to push-cart peddlers and the powers of the board of aldermen and board of estimate and apportionment in respect thereto."

Said bill having been announced for a second reading,

On motion of Mr. Graubard, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Tuesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 2096, Rec. No. 513), entitled "An act to amend the Highway Law, in relation to creating a new State highway in the counties of Rockland and Orange."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Haines | McElligott | Shlivek |
| Allen | Day | Hammond | McGrath | Shortt |
| Baumes | Donnelly | Hart | McKeon | Smith A E |
| Beach | Donovan | Herrick J J | Merritt | Smith T K |
| Blauvelt | Drummond | Herrick W R | Miller | Spielberg |
| Boylan | Ebbetts | Heyman | Monczynski | Stivers |
| Brace | Egan | Higgins | Mork | Sullivan |
| Brennan | Evans | Hoey | Murray | Sweet |
| Brereton | Farrell | Hollmann | Neupert | Talmage |
| Bridenbecker | Fay | Hoyt | Nolan | Terry |
| Brooks | Filley | Huber | O'Connor | Thorn |
| Bryant | Fitzpatrick | Jackson | Oliver | Trombly |
| Bush | Foley | Jameson | O'Neill J J | Warren |
| Butler | Friedman | Jones | O'Neil MA | Waters F A |
| Carew | Geatons | Keys | Parker A | Waters R B |
| Caughlan | Gerhardt | Lansing | Parker J S | Weil |
| Chanler | Gerken | LaReau | Patrie | Wende |
| Cheney | Gillen | Levy A J | Phillips C W | Wheeler |
| Coffey | Goldberg | Levy J | Phillips J S | White |
| Collin | Goldstein | Lincoln | Pierce | Wilson |
| Colné | Goodwin | Macdonald | Saunders | Winters |
| Connell | Gould | MacGregor | Schifferdecker | Yale |
| Constantine | Graubard | Manley | Seeley | Yeomans |
| Cosad | Gregg | Martin | Shannon | Young |
| Cross | Gurnett | McCue | Sheide | Zorn |
| Cuvillier | Hackett | McDaniels | Shepardson | |

In the negative:

Hinman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1685, Rec. No. 357), entitled "An act to amend chapter five hundred and eighteen of the Laws of eighteen hundred and sixty-seven, entitled 'An act to amend an act, entitled "An act to

incorporate the village of White Plains,"' passed April third, eighteen hundred and sixty-six, in relation to the powers and duties of the village trustees, et cetera, and the acts amendatory thereof."

On motion of Mr. Patrie, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 78

NOES 50

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Blauvelt | Egan | Gurnett | McCue | Saunders |
| Boylan | Evans | Hackett | McDaniels | Schifferdecker |
| Brace | Farrell | Hearn | McElligott | Seeley |
| Brennan | Fay | Herrick J J | McGrath | Shortt |
| Bridenbecker | Fitzpatrick | Herrick W R | McKeon | Smith A E |
| Bush | Foley | Heyman | Miller | Spielberg |
| Carew | Friedman | Hoey | Monezynski | Trombly |
| Caughlan | Geatons | Hollmann | Mork | Turley |
| Chanler | Gerhardt | Hoyt | Neupert | Walker |
| Collin | Gerken | Jackson | O'Connor | Warren |
| Cosad | Gillen | Jameson | Oliver | Washburn |
| Cuvillier | Goldberg | LaReau | O'Neill J J | Weil |
| Dawson | Goldstein | Levy A J | O'Neil M A | Wende |
| Day | Gould | Levy J | Parker A | Wheeler |
| Donnelly | Graubard | Manley | Patrie | Zorn |
| Donovan | Gregg | Martin | | |

Those who voted in the negative were:

| | | | | |
|----------|-------------|-----------|--------------|------------|
| Adler | Connell | Hoff | Parker J S | Talmage |
| Allen | Constantine | Huber | Phillips C W | Terry |
| Baumes | Filley | Jones | Phillips J S | Ward |
| Beach | Goodman | Keys | Pierce | Waters F A |
| Brereton | Goodwin | Lansing | Shannon | White |
| Brooks | Haines | Lincoln | Shepardson | Wilson |
| Bryant | Hammond | MacGregor | Shlivek | Yale |
| Cheney | Hart | Merritt | Smith T K | Yeomans |
| Coffey | Higgins | Murray | Stivers | Young |
| Colné | Hinman | Nolan | Sullivan | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill

(No. 1937, Rec. No. 406), entitled "An act to grant to the city of Geneva all the interest of the people of the State of New York in certain lands under the waters or partly under the waters of Seneca lake."

Said bill having been announced for a second reading,

On motion of Mr. Cosad, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Tuesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 473, Rec. No. 226), entitled "An act to amend the Banking Law, relative to meetings of directors or trustees and reports thereto."

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00 .

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Fillee | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |

| | | | | |
|-------------|----------|-----------|----------------|---------|
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 471, Rec. No. 225), entitled "An act to amend the Banking Law, relative to reports."

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Brennan | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Filley | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1198, Rec. No. 280), entitled "An act to amend the Banking Law, relative to oaths of trustees of saving banks and vacancies in the office of trustee."

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130
NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hanmond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talnage |
| Brooks | Filley | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1772, Rec. No. 425), entitled "An act authorizing the common council of the city of Fulton to audit a certain claim and raise money for paying the same."

On motion of Mr. Sweet, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hammond | McElligott | Shepardson |
| Allen | Donnelly | Hart | McGrath | Shlivek |
| Baumes | Donovan | Herrick J J | McKeon | Shortt |
| Beach | Drummond | Herrick W R | Merritt | Smith A E |
| Blauvelt | Ebbetts | Heyman | Miller | Smith T K |
| Boylan | Egan | Higgins | Monczynski | Spielberg |
| Brace | Evans | Hinman | Mork | Stivers |
| Brennan | Farrell | Hoey | Murray | Sullivan |
| Brereton | Fay | Hollmann | Neupert | Sweet |
| Bridenbecker | Filley | Hoyt | Nolan | Talmage |
| Brooks | Fitzpatrick | Huber | O'Connor | Terry |
| Bryant | Foley | Jackson | Oliver | Thorn |
| Bush | Friedman | Jameson | O'Neill J J | Trombly |
| Butler | Geatons | Jones | O'Neil M A | Warren |
| Carew | Gerhardt | Keys | Parker A | Waters F A |
| Caughlan | Gerken | Lansing | Parker J S | Waters R B |
| Chanler | Gillen | LaReau | Patrie | Weil |
| Cheney | Goldberg | Levy A J | Phillips C W | Wende |
| Coffey | Goldstein | Levy J | Phillips J S | Wheeler |
| Collin | Goodwin | Lincoln | Pierce | White |
| Colné | Gould | Macdonald | Saunders | Wilson |
| Connell | Graubard | MacGregor | Schifferdecker | Winters |
| Constantine | Gregg | Manley | Seeley | Yale |
| Cosad | Gurnett | Martin | Shannon | Yeomans |
| Cross | Hackett | McCue | Shea | Young |
| Cuvillier | Haines | McDaniels | Sheide | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2038, Rec. No. 507), entitled "An act in relation to the office of the surrogates of the county of New York."

On motion of Mr. Boylan, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 76

NOES 47

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Blauvelt | Evans | Hackett | Manley | Patrie |
| Boylan | Farrell | Hearn | Martin | Saunders |
| Brace | Fay | Herrick J J | McCue | Schifferdecker |
| Brennan | Fitzpatrick | Herrick W R | McDaniels | Seeley |
| Bridenbecker | Foley | Heyman | McElligott | Smith A E |
| Bush | Geatons | Hoey | McGrath | Spielberg |
| Carew | Gerhardt | Hollmann | McKeon | Terry |
| Caughlan | Gerken | Hoyt | Miller | Trombly |
| Collin | Gillen | Huber | Mork | Turley |
| Cosad | Goldberg | Jackson | Neupert | Walker |
| Cuvillier | Goldstein | Jameson | Oliver | Warren |
| Dawson | Gould | Kennedy | O'Neill J J | Washburn |
| Day | Graubard | LaReau | O'Neil M A | Weil |
| Donnelly | Gregg | Levy A J | Parker A | Wende |
| Donovan | Gurnett | Levy J | Parker J S | Wheeler |
| Egan | | | | |

Those who voted in the negative were:

| | | | | |
|----------|-------------|--------------|------------|------------|
| Adler | Connell | Keys | Shannon | Thorn |
| Allen | Constantine | Lansing | Shepardson | Ward |
| Baumes | Cross | Lincoln | Shlivek | Waters F A |
| Beach | Filley | MacGregor | Shortt | Waters R B |
| Brereton | Friedman | Merritt | Smith T K | White |
| Brooks | Goodman | Murray | Stivers | Wilson |
| Bryant | Hart | Nolan | Sullivan | Winters |
| Chanler | Higgins | Phillips J S | Sweet | Yale |
| Cheney | Hoff | Pierce | Talmage | Young |
| Colné | Jones | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1840, Rec. No. 486), entitled "An act to amend the Insurance Law as to the investments of foreign mutual fire insurance corporations of other States."

On motion of Mr. Hoey, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spiegelberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Filley | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1891, Rec. No. 516), entitled "An act to amend chapter one hundred and twenty-five of the Laws of eighteen hundred and sixty-one, entitled 'An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the

powers of the corporation of said village,' in relation to the indebtedness of the village."

On motion of Mr. Gurnett, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Filley | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2036, Rec. No. 500), entitled "An act to amend the Town Law, in relation to the acquisition of land for town purposes."

On motion of Mr. Wende, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 3

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hammond | McDaniels | Shlivek |
| Allen | Donnelly | Hart | McElligott | Shortt |
| Baumes | Donovan | Herrick J J | McGrath | Smith A E |
| Beach | Drummond | Herrick W R | McKeon | Smith T K |
| Blauvelt | Ebbetts | Heyman | Merritt | Spielberg |
| Boylan | Egan | Higgins | Miller | Stivers |
| Brace | Evans | Hinman | Monczynski | Sullivan |
| Brennan | Farrell | Hoey | Mork | Sweet |
| Brereton | Fay | Hollmann | Neupert | Talmage |
| Bridenbecker | Filley | Hoyt | Nolan | Terry |
| Brooks | Fitzpatrick | Huber | O'Connor | Thorn |
| Bryant | Foley | Jackson | Oliver | Trombly |
| Bush | Friedman | Jameson | O'Neill J J | Warren |
| Butler | Geatons | Jones | O'Neil M A | Waters F A |
| Carew | Gerhardt | Keys | Parker A | Waters R B |
| Caughlan | Gerken | Lansing | Parker J S | Weil |
| Chanler | Gillen | LaReau | Patrie | Wende |
| Cheney | Goldberg | Levy A J | Phillips C W | Wheeler |
| Coffey | Goldstein | Levy J | Pierce | White |
| Collin | Goodwin | Lincoln | Saunders | Wilson |
| Connell | Gould | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | MacGregor | Seeley | Yale |
| Cosad | Gregg | Manley | Shannon | Yeomans |
| Cross | Gurnett | Martin | Sheide | Young |
| Cuvillier | Hackett | McCue | Shepardson | Zorn |
| Dawson | Haines | | | |

Those who voted in the negative were:

| | | |
|-------|--------|--------------|
| Colné | Murray | Phillips J S |
|-------|--------|--------------|

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1965, Rec. No. 508), entitled "An act to establish a commission to inquire into the prices, purity, production, distribution and consumption of food and food stuffs, farm and dairy

produce in the State of New York, and to suggest legislation with respect thereto and making an appropriation therefor."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Haines | McElligott | Shlivek |
| Allen | Day | Hammond | McGrath | Shortt |
| Baumes | Donnelly | Hart | McKeon | Smith A E |
| Beach | Donovan | Herrick J J | Merritt | Smith T K |
| Blauvelt | Drummond | Herrick W R | Miller | Spielberg |
| Boylan | Ebbetts | Heyman | Monczynski | Stivers |
| Brace | Egan | Higgins | Mork | Sullivan |
| Brennan | Evans | Hinman | Murray | Sweet |
| Brereton | Farrell | Hoey | Neupert | Talmage |
| Bridenbecker | Fay | Hollmann | Nolan | Terry |
| Brooks | Filley | Hoyt | O'Connor | Thorn |
| Bryant | Fitzpatrick | Huber | Oliver | Trombly |
| Bush | Foley | Jackson | O'Neill J J | Warren |
| Butler | Friedman | Jameson | O'Neil M A | Waters F A |
| Carew | Geatons | Jones | Parker A | Waters R B |
| Caughlan | Gerhardt | Keys | Parker J S | Weil |
| Chanler | Gerken | Lansing | Patrie | Wende |
| Cheney | Gillen | LaReau | Phillips C W | Wheeler |
| Coffey | Goldberg | Levy A J | Phillips J S | White |
| Collin | Goldstein | Levy J | Pierce | Wilson |
| Colné | Goodwin | Lincoln | Saunders | Winters |
| Connell | Gould | Macdonald | Schifferdecker | Yale |
| Constantine | Graubard | Manley | Seeley | Yeomans |
| Cosad | Gregg | Martin | Shannon | Young |
| Cross | Gurnett | McCue | Sheide | Zorn |
| Cuvillier | Hackett | McDaniels | Shepardson | |

In the negative:

MacGregor

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 983, Rec. No. 452), entitled "An act to release to Archie

D. Sanders all the right, title and interest of the people of the State of New York in and to certain real estate in the town of Stafford, in the county of Genesee.”

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thsereof.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Filley | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1680, Rec. No. 459), entitled “An act to amend chapter four hundred and ten of the Laws of eighteen hundred and

ninety-three, entitled 'An act to incorporate the New York City Baptist Mission Society, and to authorize the transfer of property to it by the Southern New York Baptist Association and the American Baptist Home Mission Society.' "

On motion of Mr. Foley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Filley | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | O'iver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No.

2538, Int. No. 1838), entitled "An act to amend the Inferior Criminal Courts Act of the city of New York."

On motion of Mr. Foley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Filley | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1511, Int. No. 1281), entitled "An act to amend the General Municipal Law, in relation to submitting to the electors of a city, village or town a proposition to permit the playing of baseball therein on Sunday."

Said bill having been announced,
Mr. Shortt moved to amend as follows:

Page 1, in title, strike out "baseball" and insert "outdoor games".

Page 1, line 7, strike out "baseball" and insert "outdoor games".

Page 2, line 10, strike out "baseball" and insert "outdoor games".

Page 2, line 18, strike out "baseball" and insert "outdoor games".

Page 3, line 3, strike out "baseball" and insert "outdoor games".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

On motion of Mr. Bush, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 87

NOES 35

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|-------------|----------------|------------|
| Adler | Filley | Herrick J J | McCue | Shlivek |
| Boylan | Fitzpatrick | Herrick W R | McDaniels | Shortt |
| Brennan | Foley | Heyman | McElligott | Smith A E |
| Brereton | Friedman | Hinman | McGrath | Smith T K |
| Brooks | Geatons | Hoey | McKeon | Spielberg |
| Bush | Gerhardt | Hollmann | Monczynski | Sullivan |
| Carew | Gerken | Jackson | Mork | Thorn |
| Caughlan | Gillen | Jameson | Neupert | Trombly |
| Chanler | Goldberg | Jones | Nolan | Turley |
| Cosad | Goldstein | Kennedy | O'Connor | Walker |
| Cuvillier | Goodman | Lansing | Oliver | Ward |
| Dawson | Gould | LaReau | O'Neill J J | Warren |
| Day | Graubard | Levy A J | O'Neil M A | Washburn |
| Donnelly | Gregg | Levy J | Parker A | Waters R B |
| Donovan | Gurnett | MacGregor | Saunders | Weil |
| Egan | Hackett | Manley | Schifferdecker | Wende |
| Farrell | Hammond | Martin | Seeley | Zorn |
| Fay | Hearn | | | |

Those who voted in the negative were:

| | | | | |
|--------------|-------------|---------|--------------|------------|
| Allen | Coffey | Goodwin | Merritt | Sweet |
| Baumes | Collin | Haines | Miller | Talmage |
| Blauvelt | Colné | Hart | Parker J S | Waters F A |
| Brace | Connell | Higgins | Phillips J S | Wheeler |
| Bridenbecker | Constantine | Huber | Pierce | Wilson |
| Bryant | Cross | Keys | Shepardson | Yale |
| Cheney | Evans | Lincoln | Stivers | Young |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1436, Int. No. 1214), entitled "An act to incorporate the Federal Council of the Churches of Christ in America."

On motion of Mr. Lansing, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Fillee | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |

| | | | | |
|-------------|----------|-----------|----------------|---------|
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2203, Int. No. 1778), entitled "An act to amend the Judiciary Law, constituting chapter thirty-five of the Consolidated Laws, relating to the designation by clerks of certain counties of assistants to prepare the court calendars."

On motion of Mr. Wende, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Fairrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Fillely | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2017, Int. No. 1656), entitled, "An act to amend the Judiciary Law, in relation to the compensation of attendants of Appellate Division in the fourth department."

On motion of Mr. Wende, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Moneczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Filley | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. A. E. Smith in the chair.

Mr. Speaker announced the special order, being the bill (No. 1482, Int. No. 1258), entitled "An act to amend the Tenement-House Law, in relation to lighting and ventilation of rooms."

Said bill having been announced,

Mr. Foley moved to amend as follows:

Page 2, line 23, strike out the words "or with" in both cases where they occur in this line.

Line 24, strike out the words "where rooms are already provided with".

Line 24, after the word "openings" insert a comma.

Page 3, line 19, strike out all the brackets and the period.

Line 20, strike out the bracket.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the special order of second and third reading.

The bill (No. 2567, Int. No. 1123) entitled "An act to amend the Liquor Tax Law, in relation to obstructions in windows," having been announced for a third reading,

On motion of Mr. McCue, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 2574, Int. No. 1048) entitled "An act to provide for the construction of a bridge over the barge canal at the city of Fulton, and making an appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------|----------|-------------|------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Farrell | Hoey | Murray | Sveet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Filley | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

The Senate sent for concurrence the following entitled bills:

"An act to amend the Insurance Law, in relation to the application for and issue of authority to agents and brokers transacting certain kinds of insurance business, and providing that commissions shall be paid only to agents and brokers having such certificates of authority" (No. 1839, Rec. No. 527), which was read the first time.

On motion of Mr. Hoey, and by unanimous consent, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interests requires it; therefore, in accordance with the provisions of section 15 of article 3 of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill (Int. No. 1475, Printed No. 1839) as amended, entitled "An act to amend the Insurance Law, in relation to the application for and issue of certificates of authority to agents and brokers transacting certain kinds of in-

surance business, and providing that commissions shall be paid only to agents and brokers having such certificates of authority."

Given under my hand and the privy seal of the State at the Capitol in the city of Albany this twelfth day of [L. S.] July in the year of our Lord one thousand nine hundred and eleven.

JOHN A. DIX.

By the Governor:

JOHN A. MASON,

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Haines | McDaniels | Shlivek |
| Allen | Day | Hammond | McElligott | Shortt |
| Baumes | Donnelly | Hart | McGrath | Smith A E |
| Beach | Donovan | Herrick J J | McKeon | Smith T K |
| Blauvelt | Drummond | Herrick W R | Merritt | Spielberg |
| Boylan | Ebbetts | Heyman | Miller | Stivers |
| Brace | Egan | Higgins | Monczynski | Sullivan |
| Brennan | Evans | Hinman | Mork | Sweet |
| Brereton | Farrell | Hoey | Neupert | Talmage |
| Bridenbecker | Fay | Hollmann | Nolan | Terry |
| Brooks | Filley | Hoyt | O'Connor | Thorn |
| Bryant | Fitzpatrick | Huber | Oliver | Trombly |
| Bush | Foley | Jackson | O'Neill J J | Warren |
| Butler | Friedman | Jameson | O'Neil M A | Waters F A |
| Carew | Geatons | Jones | Parker A | Waters R B |
| Caughlan | Gerhardt | Keys | Parker J S | Weil |
| Chanler | Gerken | Lansing | Patrie | Wende |
| Cheney | Gillen | LaReau | Phillips C W | Wheeler |
| Coffey | Goldberg | Levy A J | Phillips J S | White |
| Collin | Goldstein | Levy J | Pierce | Wilson |
| Colné | Goodwin | Lincoln | Saunders | Winters |
| Connell | Gould | Macdonald | Schifferdecker | Yale |
| Constantine | Graubard | MacGregor | Seeley | Yeomans |
| Cosad | Gregg | Manley | Shannon | Young |
| Cross | Gurnett | Martin | Sheide | Zorn |
| Cuvillier | Hackett | McCue | Shepardson | |

In the negative:

Murray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act making an appropriation to expedite the building of certain routes in the State highway system" (No. 2107, Rec. No. 528), which was read the first time and referred to the committee on ways and means.

The Senate returned Assembly bill (No. 1431, Senate Reprint No. 2040, Int. No. 467), entitled "An act to amend the Forest, Fish and Game Law, in relation to spearing, hooking and set lines," with a message that they have concurred in the passage of the same, with the following amendments:

Amend title by striking out all after word "to" and inserting in lieu thereof the words "spearing, hooking and set lines".

Page 2, line 16, after word "inclusive" insert new matter "and in the waters of Lake Erie and in the tributaries thereto mullet, suckers, carp and catfish may be speared from March first to May fifteenth, both inclusive;"

Line 18, after word "dog-fish" place brackets around comma.

Page 3, line 4, strike out "by rakes or hook-ups" and insert "with hooks".

Page 3, line 10, strike out words "and rakes".

Page 2, line 10, strike out the word "first" at end of line and insert the word "fifteenth".

Page 3, line 16, strike out the words "as far up as Worcester" and insert in place thereof the words "as far up as two and one-half miles east of the plant of the Schenevus Light and Power Company."

Mr. Miller moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------|----------|-------------|------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Briereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Filley | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neil J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned Assembly bill (No. 1042, Senate Reprint No. 2077, Int. No. 928), entitled "An act to provide for the investigation, audit and payment, by the city of New York of the claim of Joseph Fiesel, junior, against said city, for plumbing work and material furnished the board of education of Long Island City during the year eighteen hundred and ninety-one," with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 2, at the end of said line strike out the word "in" and insert in place thereof the word "hear".

Page 1, line 3, strike out all of the said line up to the word "the" and insert in place thereof the words "determine and audit".

Page 2, line 7, strike out the word "The" and insert in place thereof the words "If the"; also at the end of said line strike out the words "in dealing".

Page 2, strike out lines 8, 9, 10 and 11.

Page 2, line 12, at the beginning of said line strike out the words "and if it shall appear" and insert in place thereof the word "finds".

Page 2, line 14, at the beginning of said line before the word "board" insert the word "existing".

Page 2, line 17, after the word "board" insert in italics the

following: "though not lawfully authorized at the time to order such work and material".

Page 2, line 20, after the word "dollars" insert in italics the following: "or any less sum, such board may decide that the said claimant shall be paid by the city the amount so determined, and upon taking such determination such board may authorize the comptroller of the city of New York to pay said claimant the amount so determined and awarded."; also strike out the remainder of said line.

Page 2, strike out lines 21 to 26, inclusive.

Page 3, strike out lines 1 to 24, inclusive, and insert thereafter a new section in italics to read as follows:

"§ 2. For the purpose of carrying out the provisions of this act, the comptroller of the city of New York is hereby authorized, upon receiving the authorization as provided in the preceding section, to issue certificates of indebtedness in the manner provided by the Greater New York charter."

Page 3, line 25, change the numeral "2" to "3".

Mr. Zorn moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Hearn | Miller | Spielberg |
| Brace | Egan | Higgins | Monezynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Filley | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |

| | | | | |
|-------------|-----------|-----------|----------------|---------|
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2099, Senate Reprint No. 2051, Int. No. 1409), entitled "An act to amend the Labor Law, in relation to the protection of employees operating machinery," with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 4, place bracket around the word "All".

Page 2, line 5, place bracket after the word "set-screws" and insert between said brackets and the word "and" the following in italics: "All vats, pans and hydro-extractors wherever set so that the opening or top thereof is at a lower level than the elbow of the operator or operators at work about the same shall be protected by covers which shall be maintained over the same while in use in such manner as to effectually prevent such operators or other persons falling therein or coming in contact therewith. All saws shall be provided with a proper and effective guard. All planers shall be protected by a substantial hood or covering. All cogs and gearing shall be boxed or cased either with metal or wood. All belting within seven feet of the floors shall be boxed in either with wood, metal or substantial gauge wire screens. All revolving shafting within seven feet of the floors shall be protected on its exposed surface by being encased in such a manner as to effectively prevent any part of the body, hair or clothing of the operators or other persons from coming in contact with such shafting. All set-screws with projecting heads, and coupling or collar bolts shall be provided with suitable covering."

Page 2, line 6, after the word "guarded" add the following: "and safely placed".

Page 3, line 26, after "tions" strike out all of the said line.

Page 4, line 1, at the beginning of said line strike out the words "herein prescribed as", and between the words "to" and "the" insert the word "govern".

Mr. C. W. Phillips moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur

in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Biereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Filley | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colne | Goodwin | Lincoln | Pierce | Wilson |
| Cnnell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2464, Senate Reprint No. 2042, Int. No. 978), entitled "An act to amend the Banking Law, in relation to powers of trust companies," with a message that they have concurred in the passage of the same, with the following amendments:

Page 4, line 24, insert a new section to read as follows:

"§ 2. The provisions of this act shall not be construed to affect or diminish any right or power now lawfully exercised or possessed by any foreign corporation."

Page 4, line 24, change the figure "2" to "3".

Mr. Foley moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Filley | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Ycomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2252, Senate Reprint No. 2028, Int. No. 1819), entitled "An act in relation to a farm and industrial colony for tramps and vagrants," with a message that they have concurred in the passage of the same, amended by striking out all after the enacting clause and substituting the following:

"Section 1. Establishment and purpose. A State industrial farm colony is hereby established for the detention, humane discipline,

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instruction and reformation of male adults committed thereto as tramps or vagrants.

“ § 2. Board of managers; appointments; powers and duties. The said colony shall be under the control and management of a board of seven managers to be appointed by the Governor by and with the advice and consent of the Senate, in accordance with the provisions of section fifty-one of the State Charities Law. Such managers shall serve without compensation but shall be entitled to their actual and necessary traveling expenses in the performances of their official duties. The Governor shall have power to remove any member or members of the said board of managers for cause after an opportunity to be heard. The said board's control of the said colony shall include among other things:

“ a. The election of the officers of the said board.

“ b. The appointment of a superintendent and such other employees as the said board shall deem proper.

“ c. The establishment and alteration of rules and regulations for the management of the said colony, including the classification, parole, discharge and retaking of inmates, and a system of compensation and credits, by marks or otherwise.

“ § 3. The said board of managers shall ascertain whether any lands now owned by the State are suitable for use as a site for the said farm and industrial colony and available therefor. If the said board of managers shall find that any lands now owned by the State are suitable and available for such purpose, the State authorities having charge and control of such lands are hereby authorized, with the approval of the Governor, to transfer said lands to the board of managers hereby established, and the said board shall thereupon cause such lands to be made ready for use as a site for such farm and industrial colony. In case no lands now owned by the State are found to be suitable for said farm and industrial colony, the board of managers hereby established shall, with the approval of the Governor, select a site therefor of not less than five hundred acres, and may enter into options in behalf of the State for the purchase of such lands at a price not to exceed sixty thousand dollars, and shall make full report thereon to the Legislature on or before March first, nineteen hundred and twelve. The said board shall cause to be made by the State Engineer and Surveyor a map or maps of the lands selected, which shall be certified by a majority of them, and filed in the office of the Secretary of State and duplicates thereof in the office of the clerk of the county wherein such lands are located. It shall be the duty of the said board to prepare such site as may be acquired for the use by the said colony, to provide a water supply and a system of drainage therefor, to determine what buildings are nec-

essary to be erected thereon for the proper housing and educational and industrial training of not less than five hundred inmates and to act as a board of managers in the erection of said buildings and in the expenditure of the moneys herein or hereafter appropriated for the purchase and improvement of the said site. In all the work of construction and improvement, the labor of inmates of the said colony shall be employed wherever and so far as practicable.

“§ 4. Commitment; term of detention. When the said colony shall be ready to receive any inmates, the said board shall notify the several county clerks of all the counties of the State of that fact. It shall be the duty of the said county clerks immediately on receipt of the said official notification to transmit a copy thereof to each and all of the several courts in their respective counties and to each and all of the several justices of the Supreme Court and other judges, justices and magistrates, residing or sitting in their respective counties. Thereafter any such court or magistrate may commit to the said colony to be there detained under the provisions of this act any male over the age of twenty-one who shall be adjudged by such court or magistrate to be a vagrant or tramp; but no person shall be so committed who shall satisfy the said court or magistrate that he habitually supports himself through lawful employment. It is the intent and meaning of this act that reputable workmen, temporarily out of work and seeking employment, shall not be deemed tramps or vagrants nor be committed as such to the said colony, nor shall any person be committed to the said colony for any other cause than herein provided. Any person who shall be committed to the said colony shall be detained therein according to this act and not otherwise, anything in the Penal Law to the contrary notwithstanding. Such commitment shall not be for a definite term but any such male, at any time after his commitment, may be paroled or discharged by the said board of managers, and shall not in any case be detained longer than two years and unless he shall since reaching the age of sixteen have been previously committed to a penal institution, he shall not be detained longer than eighteen months. If through oversight or otherwise any male be committed to the said colony for a definite period of time, such commitment shall not for that reason be void, but the person so committed shall be entitled to the benefit and subject to the liabilities of this act, in the same manner and to the same extent as if the commitment had been made according to the terms prescribed by this act.

“§ 5. Provision of Code of Criminal Procedure to be followed. In the commitment of tramps and vagrants to the State industrial farm colony the provisions of the Code of Criminal Procedure with

relation to such classes shall, so far as consistent with the provisions of this act, be observed and followed. Persons committed as vagrants shall be local charges as provided in such Code, and those committed as tramps shall be maintained at the expense of the State as at present, but in no event shall any locality be charged a greater amount for the care of vagrants than the actual per capita cost of their maintenance in such State industrial farm colony.

"§ 6. Appropriation. The sum of ten thousand dollars (\$10,000), or so much thereof as may be necessary, is appropriated for the purposes of this act.

"§ 7. This act shall take effect immediately."

Mr. Chanler moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGiath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Filley | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

A message was received from the Senate, in the words following:

IN SENATE, *July 6, 1911.*

The Assembly having returned the Senate bill (No. 1725, Assembly Reprint No. 2531, Rec. No. 359), entitled "An act establishing a State athletic association and regulating boxing and sparring in the State of New York," with a message that they have concurred in the passage of the same with amendments.

On motion of Mr. Frawley, the Senate concurred in the amendments of the Assembly.

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Frawley, and by unanimous consent, the same was amended as follows:

Page 5, line 5, after word "owners" insert period in place of comma.

Page 5, line 5, strike out words "that is" and on line 6, strike out words "two ounces each".

Page 1, line 1 of title, strike out the word "association" and insert in place thereof the word "commission".

Said bill, as amended, was reprinted, re-engrossed, and having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

PATRICK E. McCABE,

Clerk.

Said bill having been announced,

Mr. A. E. Smith moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Adler
Allen
Baumes

Dawson
Day
Donnelly

Haines
Hammond
Hart

McDaniels
McElligott
McGrath

Shepardson
Shlivek
Shortt

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Fillely | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Dawson | Haines | McElligott | Shlivek |
| Allen | Day | Hammond | McGrath | Shortt |
| Baumes | Donnelly | Hart | McKeon | Smith A E |
| Beach | Donovan | Herrick J J | Merritt | Smith T K |
| Blauvelt | Drummond | Herrick W R | Miller | Spielberg |
| Boylan | Ebbetts | Heyman | Monczynski | Stivers |
| Brace | Egan | Higgins | Mork | Sullivan |
| Brennan | Evans | Hinman | Murray | Sweet |
| Brereton | Farrell | Hoey | Neupert | Talmage |
| Bridenbecker | Fay | Hoff | Nolan | Terry |
| Brooks | Fillely | Hoyt | O'Connor | Thorn |
| Bryant | Fitzpatrick | Huber | Oliver | Trombly |
| Bush | Foley | Jackson | O'Neill J J | Warren |
| Butler | Friedman | Jameson | O'Neil M A | Waters F A |
| Carew | Geatons | Jones | Parker A | Waters R B |
| Caughlan | Gerhardt | Keys | Parker J S | Weil |
| Chanler | Gerken | LaReau | Patrie | Wende |
| Cheney | Gillen | Levy A J | Phillips C W | Wheeler |
| Coffey | Goldberg | Levy J | Phillips J S | White |
| Collin | Goldstein | Lincoln | Pierce | Wilson |
| Colné | Goodwin | Macdonald | Saunders | Winters |

| | | | | |
|-------------|----------|-----------|----------------|---------|
| Conne'l | Gould | MacGregor | Schifferdecker | Yale |
| Constantine | Graubard | Manley | Seeley | Yeomans |
| Cosad | Gregg | Martin | Shannon | Young |
| Cross | Gurnett | McCue | Sheide | Zorn |
| Cuvillier | Hackett | McDaniels | Shepardson | |

In the negative:

Lansing

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

A message was received from the Senate, in the words following:

IN SENATE, *July 10, 1911.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 1135, Reprint No. 1987, Rec. No. 184) entitled "An act to amend the County Law, in relation to the appointment of special deputy county clerks."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Pollock, and by unanimous consent, the same was amended as follows:

Page 2, line 4, after the word "designate" strike out the word "such", and on the same line after the word "clerks" insert the following: "appointed by him and employed in the naturalization of aliens."

Page 2, line 5, at the beginning of the line strike out the words "control as may be required".

Page 2, line 6, after the word "to" strike out the words "take declarations or" and on the same line after the word "oaths" insert the following: "required by the naturalization laws".

Page 2, line 9, strike out the brackets inclosing the word "such"; insert a comma after the word "deputy"; strike out the word "appointed" after the word "and"; insert "every such" and at the end of said line strike out the words "county clerk".

Page 2, line 10, after the word "section" insert a comma.

Page 2, line 11, strike out the words "his respective" and insert in place thereof "such".

Page 2, line 12, strike out brackets around the word "such".

Page 2, line 15, strike out the brackets around the word "such".

Page 2, line 16, at the beginning of the line after the word "deputy" insert the word "so"; after the word "appointed" insert a comma and on the same line strike out the words "county clerk" and insert in place thereof the word "so".

Page 2, line 17, after the word "section" insert a comma.

Page 2, line 25, strike out all of said line and insert the following in its place: "This section shall not apply to or affect any special deputy clerk to the county clerk appointed pursuant to the provisions of the Judiciary Law of this State.

"§ 2. This act shall take effect immediately."

Said bill, as amended, was reprinted, re-engrossed, and having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

PATRICK E. McCABE,
Clerk.

Said bill having been announced,

Mr. Warren moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spiegelberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Filley | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Farrell | Hoe | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Filley | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill and, as amended, have again passed the same and request the concurrence of the Senate therein.

A message was received from the Senate, in the words following:

IN SENATE, *July 6, 1911.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 538, Reprint No. 2012, Rec. No. 148), entitled "An act to amend chapter two hundred and thirteen of the Laws of nineteen hundred and four, en-

titled 'An act to make the office of county clerk of Orange county a salaried office and regulating the management of said office and fixing the salary of said clerk and his assistants,' in relation to payments by said clerk into the treasury of said county of moneys received by him, less his disbursements."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Rose, and by unanimous consent, the same was amended as follows:

Page 4, between lines 13 and 14, insert the following:

"§ 4. Section eleven of such chapter is hereby amended to read as follows:

"§ 11. The said county clerk shall present to the board of supervisors annually during the month of November in each year a full report, duly verified, of all the receipts of the office, the necessary cash disbursements of his office, the amounts paid over to the county treasurer and the amounts certified by him to be due his assistants for services which account the board of supervisors shall examine and if found correct audit and allow the same."

Page 4, line 14, change the numeral "4" to "5".

Said bill, as amended, was reprinted, re-engrossed, and having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

PATRICK E. McCABE,

Clerk.

Said bill having been announced,

Mr. Stivers moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:.

| | | | | |
|----------|----------|-------------|------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Brereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Filley | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Filley | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neil J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *June 21, 1911.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1537, Int. No. 1306), entitled "An act to amend the Forest, Fish and Game Law, in relation to appointment of special game protectors and wardens."

JOHN A. DIX.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 10, 1911.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1911, Senate Reprint No. 1833, Int. No. 696), entitled "An act to amend the Public Health Law, in relation to the use of common drinking cups."

JOHN A. DIX.

Said bill having been announced,

Mr. Carew moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------|----------|---------|------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Beach | Donovan | Herrick J J | McKeon | Smith A |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Filley | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Mr. Carew moved that said bill be recommitted to the committee on public health, with instructions to report the same forthwith, amended as follows:

Page 2, line 2, after the word "authorized" add "and directed"; after the word "adopt" add "and promulgate before September first, nineteen hundred and eleven".

Page 2, lines 8, 9, 10, substitute: "This act shall take effect September first, nineteen hundred and eleven."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Bush, from the committee on public health, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 10, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1687, Senate Reprint No. 2052, Int. No. 1411), entitled "An act to amend the Labor Law, in relation to the organization, powers and duties of the Department of Labor."

JOHN A. DIX.

Said bill having been announced,

Mr. C. W. Phillips moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Filley | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Mr. C. W. Phillips moved that said bill be recommitted to the committee on labor and industries, with instructions to report the same forthwith, amended as follows:

On page 2, line 4, strike out brackets and word "six" and insert on said line 4 after the word "thousand" the words "five hundred".

On page 2, line 9, strike out the word "five" and insert in place thereof the word "four".

On page 2, line 10, strike out the word "four" and insert in place thereof the word "three" and insert on said line after the word "thousand" the words "five hundred".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Wende, from the committee on labor and industries, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. A. J. Levy offered for the consideration of the House a resolution, in the words following:

Whereas, It is, and always has been, a fundamental principle of our government that the rights of its citizens shall not be impaired at home or abroad because of religious belief, and

Whereas, Our government concludes its treaties for the equal protection of all classes of its citizens without regard of its religious belief, and

Whereas, Our government, on the eighteenth day of December, eighteen hundred and thirty-two, at Saint Petersburg, concluded a treaty with Russia in which it was provided that the inhabitants of our respective States "shall be at liberty to sojourn and reside in all parts whatsoever of said territory in order to attend to their affairs, and they shall enjoy to that effect the same security and protection as natives of the country wherein they reside, on condition of their submitting to the laws and ordinances there prevailing and particularly to the regulations in force concerning commerce," and

Whereas, The government of Russia has violated the aforementioned treaty by construing the foregoing provision to mean that American citizens of Jewish faith are subject in Russia to the same class restriction that Russia imposes upon Russian inhabitants of Jewish faith to sojourn and reside in Russia in order to attend to their affairs and to enjoy to that effect the same security and protection as non-Jewish native Russians, and by refusing to honor American passports issued to American citizens of Jewish faith, and

Whereas, Hon. Henry M. Goldfogle, Hon. William Sulzer and Hon. Francis Burton Harrison have each introduced in the House of Representatives of the United States a joint resolution calling for the abrogation of the aforementioned treaty between the United States of America and Russia because of the foregoing, therefore be it

Resolved (if the Senate concur), That the Representatives in Congress from this State be requested to vote in favor of a joint resolution to terminate the aforementioned treaty between the United States of America and Russia because of unjust and unwarranted discrimination by the latter country against persons of the Jewish faith, and be it further

Resolved, That the President of the Senate and the Speaker of the Assembly transmit a copy of this resolution to the Senate and House of Representatives of the United States.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hart | McGrath | Shortt |
| Allen | Donnelly | Herrick J J | McKeon | Smith A E |
| Baumes | Donovan | Herrick W R | Merritt | Smith T K |
| Beach | Drummond | Heyman | Miller | Spielberg |
| Blauvelt | Ebbetts | Higgins | Monczynski | Stivers |
| Boylan | Egan | Hinman | Mork | Sullivan |
| Brace | Evans | Hoey | Murray | Sweet |
| Brennan | Farrell | Hollmann | Neupert | Talmage |
| Brereton | Fay | Hoyt | Nolan | Terry |
| Bridenbecker | Filley | Huber | O'Connor | Thorn |
| Brooks | Fitzpatrick | Jackson | Oliver | Trombly |
| Bryant | Foley | Jameson | O'Neill J J | Turley |
| Bush | Friedman | Jones | O'Neil M A | Warren |
| Butler | Geatons | Kennedy | Parker A | Washburn |
| Carew | Gerhardt | Keys | Parker J S | Waters F A |
| Caughlan | Gerken | Lansing | Patrie | Waters R B |
| Chanler | Gillen | LaReau | Phillips C W | Weil |
| Cheney | Goldberg | Levy A J | Phillips J S | Wende |
| Coffey | Goldstein | Levy J | Pierce | Wheeler |
| Collin | Goodwin | Lincoln | Saunders | White |
| Colné | Gould | Macdonald | Schifferdecker | Wilson |
| Connell | Graubard | MacGregor | Seeley | Winters |
| Constantine | Gregg | Manley | Shannon | Yale |
| Cosad | Gurnett | Martin | Sheide | Yeomans |
| Cross | Hackett | McCue | Shepardson | Young |
| Cuvillier | Haines | McDaniels | Shlivek | Zorn |
| Dawson | Hammond | McElligott | | |

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. A. J. Levy offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That there be printed for the use of the Legislature two thousand copies of Assembly bill (No. 2542, Senate Reprint No. 2147, Int. No. 1481), entitled "An act to amend the Election Law, generally," which was referred to the committee on rules.

Mr. Hammond offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the Treasurer, on the warrant of the Comptroller, pay from the moneys appropriated for the payment of the contingent expenses of the Legislature the unpaid balance of the expenses of the joint legislative committee, heretofore appointed to consider and draft a new charter for the city of New York, incurred in pursuance of the resolutions under which the committee was appointed; such expenses to be paid upon the certificate of the chairman of the committee and either the Temporary President of the Senate or Speaker of the Assembly.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Filley | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Merritt offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the Treasurer, on the warrant of the Comptroller, pay from the moneys appropriated for the payment of the contingent expenses of the Legislature the unpaid balance of the expenses of the joint legislative committee, heretofore appointed to investigate corrupt practice in connection with legislation and the affairs of insurance companies other than those doing life insurance business, incurred in pursuance of the resolution under which the committee was appointed; such expenses to be paid upon the certificate of the chairman of the committee and either the Temporary President of the Senate or Speaker of the Assembly.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Allen | Day | Hammond | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hinman | Mork | Sullivan |
| Brereton | Farrell | Hoey | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Neupert | Talmage |
| Brooks | Filley | Hoyt | Nolan | Terry |
| Bryant | Fitzpatrick | Huber | O'Connor | Thorn |
| Bush | Foley | Jackson | Oliver | Trombly |
| Butler | Friedman | Jameson | O'Neill J J | Warren |
| Carew | Geatons | Jones | O'Neil M A | Waters F A |
| Caughlan | Gerhardt | Keys | Parker A | Waters R B |
| Chanler | Gerken | Lansing | Parker J S | Weil |
| Cheney | Gillen | LaReau | Patrie | Wende |
| Coffey | Goldberg | Levy A J | Phillips C W | Wheeler |
| Collin | Goldstein | Levy J | Phillips J S | White |
| Colné | Goodwin | Lincoln | Pierce | Wilson |
| Connell | Gould | Macdonald | Saunders | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Sheide | Zorn |

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Gurnett offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 1537, Int. No. 1306), entitled "An act to amend the Forest, Fish and Game Law, in relation to appointment of special game protectors and wardens," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the Assembly bill (No. 2560, Senate Reprint No. 1858, Int. No. 744), entitled "An act to amend the Greater New York charter, so as to provide for a relief and pension for the benefit of members of the clerical and uniformed forces of the department of street cleaning," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the Assembly bill (No. 949, Senate Reprint No. 2111, Int. No. 858), entitled "An act to amend section two thousand six hundred and sixty-nine of the Code of Civil Procedure, relating to the public administrator of Kings county."

Also, Assembly bill (No. 2219, Senate Reprint No. 2144, Int. No. 1790), entitled "An act to amend the Tax Law, in relation to the salaries of transfer tax assistant and stenographer in the surrogate's court, New York county, and transfer tax clerk, Richmond county."

Also, Assembly bill (No. 456, Senate Reprint No. 2026, Int. No. 447), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Mannheim Brown, against the State, for damages alleged to have been sustained by him, and to render judgment therefor."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Assembly bill (No. 142, Senate Reprint No. 1951, Int. No. 141), entitled "An act to authorize the board of assessors of the city of New York to estimate and allow the damages sustained by owners of real property fronting upon streets approaching the Manhattan bridge over the East river in said city."

Also, Assembly bill (No. 2020, Senate Reprint No. 2070, Int. No. 1791), entitled "An act to amend chapter eight hundred and forty-six of the Laws of eighteen hundred and sixty-seven, known as 'An act to incorporate the New York Board of Fire Underwriters.'"

Also, Assembly bill (No. 2080, Senate Reprint No. 2078, Int. No. 1692), entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to salaries of certain officers and employees of the city magistrates' courts of said city."

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2526, Int. No. 504), entitled "An act to amend the Public Health Law, in respect of conferring upon the city of New York control over the potable water supply of said city," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Daniel Sheehan, mayor of the city of Elmira, returning Assembly bill (No. 2108, Int. No. 1697), entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' generally," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Messrs. Ahern and Drummond were excused for the day.

On motion of Mr. Foley, the House adjourned.

THURSDAY, JULY 13, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Jackson gives notice that he requests that the Senate bill introduced by Mr. Ramsperger (No. 2155, Rec. No. 525), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to city and ward boundaries," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Manley gives notice that he requests that the Senate bill introduced by Mr. Ramsperger (No. 2089, Rec. No. 518), entitled "An act to amend chapter thirteen of the Laws of nineteen hundred and nine, entitled 'An act relating to canals, constituting chapter five of the Consolidated Laws,' by inserting therein a new section, to be known as section one hundred and twenty-six-a, relative to the payment of the cost of operating lift or swing bridges in towns and villages," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Young gives notice that he requests that the Senate bill introduced by Mr. Wainwright (No. 1994, Rec. No. 524), entitled "An act authorizing the village of Irvington to accept certain improved roadways as public streets," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. W. R. Herriek gives notice that he requests that the Senate bill introduced by Mr. Black (No. 2013, Rec. No. 466), entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section four of article four of the Constitution, in relation to the salary of Governor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Oliver gives notice that he requests that the Senate bill introduced by Mr. T. D. Sullivan (No. 1479, Rec. No. 381), entitled "An act to amend the Code of Civil Procedure, in rela-

tion to agreements between parties to bonds and undertakings and their corporate sureties," a copy of which is hereto annexed, be made a special order, and asks that he request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Stivers gives notice that he requests that the Senate bill introduced by Mr. Rose (No. 1311, Rec. No. 375), entitled "An act to amend the Village Law, in relation to licensing occupations," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Winters gives notice that he requests that the Senate bill introduced by Mr. Platt (No. 2107, Rec. No. 528), entitled "An act making an appropriation to expedite the building of certain routes in the State highway system," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Zorn gives notice that he requests that the Senate bill introduced by Mr. Harte (No. 1226, Rec. No. 504), entitled "An act to amend the Greater New York charter, in relation to the compensation of repairing water meters in the borough of Queens," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Oliver gives notice that he requests that the Senate bill introduced by Mr. Grady (No. 1033, Rec. No. 454), entitled "An act to amend the Banking Law, in relation to banks designated as depositaries of court funds," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Oliver gives notice that he requests that the Senate bill introduced by Mr. Grady (No. 1610, Rec. No. 455), entitled "An act to amend the Banking Law, in relation to security to be furnished by banks designated as depositaries of court funds," a

copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Brackett (No. 1075, Rec. No. 348), entitled "An act making an appropriation for highway improvement, to expedite the completion of State route number forty-three," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. T. D. Sullivan (No. 2113, Rec. No. 522), entitled "An act to amend the Banking Law, relative to certain foreign banking corporations," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Butler gives notice that he requests that the Senate bill introduced by Mr. Hinman (No. 1908, Rec. No. 434), entitled "An act to amend chapter seven hundred and fifty-one of the Laws of nineteen hundred and seven, entitled 'An act to revise the charter of the city of Binghamton,' relative to number and grade of policemen," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Sheide gives notice that he requests that the Senate bill introduced by Mr. Long (No. 1993, Rec. No. 515), entitled "An act to authorize the board of supervisors in a county adjoining a city of the first class to establish police districts outside the limits of any incorporated village therein," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Mork gives notice that he requests that the Senate bill introduced by Mr. Stilwell (No. 2114, Rec. No. 519), entitled "An

act to amend section one hundred and five of article ten of chapter eighteen of the Consolidated Laws, in relation to notaries public," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Oliver gives notice that he requests that the Senate bill introduced by Mr. T. D. Sullivan (No. 1887, Rec. No. 418), entitled "An act to amend the General Municipal Law and the State Finance Law, in relation to the awarding of contracts," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

Mr. Shortt gives notice that he requests that the Senate bill introduced by Mr. Bayne (No. 1711, Rec. No. 393), entitled "An act to amend chapter five hundred and twenty-six of the Laws of nineteen hundred and five, entitled 'An act to incorporate the Staten Island Association of Arts and Sciences and providing for the care and housing of its museum and library by the city of New York,' generally, and to incorporate in one act the acts relating to said association," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Shortt gives notice that he requests that the Senate bill introduced by Mr. Bayne (No. 1967, Rec. No. 445), entitled "An act to amend chapter three hundred and ninety-four of the Laws of nineteen hundred and two, as amended by chapter thirty-three of the Laws of nineteen hundred and four, entitled 'An act to incorporate The Diocesan Missions of Long Island and to define its objects and powers in the missionary work of the Protestant Episcopal Church in the diocese of Long Island,' " a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Seeley gives notice that he requests that the Senate bill introduced by Mr. Platt (No. 2137, Rec. No. 517), entitled "An act to amend an act, entitled 'An act to revise the charter of the

city of Hornellsville and to change the name thereof,' in relation to bonds," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Schifferdecker gives notice that he requests that Assembly bill (No. 2068, Int. No. 1680), entitled "An act to amend the Greater New York charter, in relation to creating a board of trustees of home assistance in the city of New York for dependent widows with children and dependent members of families of consumptives," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Jackson gives notice that he requests that Assembly bill (No. 1995, Int. No. 1638), entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section nine of article eight of the Constitution, in relation to the health, safety, compensation for injuries, insurance against accidents and welfare of employees," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Weil gives notice that he requests that Assembly bill (No. 662, Int. No. 627), entitled "An act to amend the Greater New York charter, in relation to establishing temporary shelters on the water front for sleeping accommodation of women and children during the summer months," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Ward gives notice that he requests that Assembly bill (No. 2585, Int. No. 331), entitled "An act to amend the Penal Law, in relation to the sale and possession of weapons and explosives, and to impose taxes in respect thereto," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Monezynski gives notice that he requests that Assembly bill (No. 1760, Int. No. 1476), entitled "An act to amend the Lien Law, in relation to mechanics' liens," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills:

"An act creating a shellfish department for the leasing of lands under water for the purpose of shellfish cultivation and for the protection and regulation of all shellfish and shellfish culture within this State" (No. 1277, Rec. No. 529), which was read the first time and referred to the committee on forestry, fisheries and game.

"An act to amend the Forest, Fish and Game Law, in relation to marine fisheries" (No. 699, Rec. No. 530), which was read the first time and referred to the committee on forestry, fisheries and game.

"An act for the relief of the towns in the county of Franklin" (No. 2132, Rec. No. 531), which was read the first time and referred to the committee on internal affairs.

"An act to amend the General City Law, in relation to license to operate moving picture apparatus" (No. 2072, Rec. No. 532), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter one hundred and six of the Laws of eighteen hundred and ninety-five, entitled 'An act to provide for discontinuing and closing streets, roads, highways, alleys, lanes and thoroughfares in cities of more than one million two hundred and fifty thousand inhabitants,' in relation to extending the provisions of such chapter to certain thoroughfares and the extinguishment of easements therein" (No. 2083, Rec. No. 533), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Penal Law, in relation to equipment and use of boats, barges, vessels and floating structures" (No. 1390, Rec. No. 534), which was read the first time and referred to the committee on codes.

"An act to amend the County Law, in relation to county hospi-

tals " (No. 2102, Rec. No. 535), which was read the first time and referred to the committee on internal affairs.

"An act to reappropriate certain moneys for the general expense of the Naval Militia " (No. 2060, Rec. No. 536), which was read the first time and referred to the committee on ways and means.

"An act to establish a commission to act jointly with a similar commission of the United States and of the State of New Jersey in the investigation of port conditions and pier extensions, with reference to remedial measures at the port of New York, and making an appropriation for the expenses of said commission " (No. 2160, Rec. No. 537), which was read the first time and referred to the committee on ways and means.

"An act for the control and regulation of the waters of the Niagara river " (No. 2074, Rec. No. 538), which was read the first time and referred to the committee on commerce and navigation.

"An act to amend the Highway Law, in relation to the course and description of route number thirty of the State highway system " (No. 2103, Rec. No. 539), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Tax Law, by adding article thirteen, relating to taxation of secured debts " (No. 1880, Rec. No. 540), which was read the first time and referred to the committee on taxation and retrenchment.

"An act to amend the Tax Law, in relation to the franchise tax on corporations " (No. 2123, Rec. No. 541), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Code of Civil Procedure, in relation to the appointment of ancillary guardians " (No. 1746, Rec. No. 542), which was read the first time and referred to the committee on codes.

"An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to the temporary commitment of children for purposes of examination " (No. 2053, Rec. No. 543), which was read the first time and referred to the committee on the judiciary.

"An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-two, entitled, 'An act to revise the

charter of the city of Buffalo,' as amended by chapter one hundred and sixty-one of the Laws of eighteen hundred and ninety-seven, relating to the firemen's relief and pension fund " (No. 2164, Rec. No. 544), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Labor Law, in relation to the size of rooms " (No. 1953, Rec. No. 545), which was read the first time and referred to the committee on labor and industries.

"An act to amend chapter seven hundred and six of the Laws of nineteen hundred and one, entitled 'An act to make the office of register of the county of Kings a salaried office and regulating the management of said office,' as amended by chapter six hundred and ninety-nine of the Laws of nineteen hundred and four, and chapter four hundred and ninety-six of the Laws of nineteen hundred and six, relating to additional assistants, clerks, employees or subordinates in said office, and fixing salaries of assistants, clerks, employees or subordinates in said office " (No. 2031, Rec. No. 546), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Transportation Corporations Law, in relation to stage coach corporations " (No. 897, Rec. No. 547), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Greater New York charter, in relation to courtrooms and supplies for the Supreme Court in the city of New York " (No. 1114, Rec. No. 548), which was read the first time and referred to the committee on affairs of cities.

"An act in relation to the equalization of the salaries of clerks in grades six and seven of the district attorney's office in the county of New York " (No. 2087, Rec. No. 549), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Judiciary Law, in relation to the appointment and compensation of official referees by the Appellate Division of the Supreme Court in the first and second departments " (No. 1964, Rec. No. 550), which was read the first time and referred to the committee on the judiciary.

"An act to amend chapter three hundred and ninety-two of the Laws of nineteen hundred and two, entitled 'An act to authorize

the common council of the city of Cohoes to borrow money by the issuing of bonds for the improvement of the quality and quantity of the present water supply, and the procuring of an additional supply of pure and wholesome water for said city,' as amended by chapter twenty-eight of the Laws of nineteen hundred and eleven, by authorizing the raising of taxes for the payment of the principal and interest of bonds issued pursuant thereto " (No. 2174, Rec. No. 551), which was read the first time.

On motion of Mr. R. B. Waters, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. R. B. Waters, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hammond | McCrath | Shlivek |
| Allen | Donnelly | Hart | McKeen | Shortt |
| Baumes | Donovan | Herrick J J | Meritt | Smith A E |
| Beach | Ebbetts | Herrick W R | Miller | Stivers |
| Blauvelt | Egan | Heyman | Mork | Sullivan |
| Roylan | Evans | Higgins | Myers | Sweet |
| Brace | Farrell | Hinman | Neupert | Talmage |
| Brennan | Fay | Hoey | Nolan | Terry |
| Brereton | Filley | Hollmann | O'Connor | Thorn |
| Bridenbecker | Fitzpatrick | Hoyt | Oliver | Trombly |
| Brooks | Foley | Huber | O'Neill J J | Tunley |
| Bryant | Friedman | Jackson | O'Neil M A | Ward |
| Push | Fry | Jarceson | Pappert | Warren |
| Butler | Geatons | Jones | Parker A | Waters F A |
| Carew | Cerlardt | Keys | Parker J S | Waters R B |
| Caughlan | Cerken | Kopp | Patrie | Weil |
| Cloney | Cillen | Larsing | Phillips C W | Wende |
| Coffey | Goldberg | LaBeau | Phillips J S | Wheeler |
| Collin | Goldstein | Levy J | Pierce | White |
| Colné | Goodwin | Macdonald | Saunders | Wilson |
| Connell | Gould | Manley | Schifferdecker | Winters |
| Constantine | Graubard | Martin | Feeley | Yale |
| Cosad | Gregg | McCue | Shannon | Yeomans |
| Cross | Gurnett | McDaniels | Sheide | Young |
| Cuvillier | Hackett | McElligott | Shepardson | Zorn |
| Dawson | Haines | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Ramsperger (No. 2155, Rec. No. 525), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to city and ward boundaries."

Also, Senate bill introduced by Mr. Ramsperger (No. 2089, Rec. No. 518), entitled "An act to amend chapter thirteen of the Laws of nineteen hundred and nine, entitled 'An act relating to canals, constituting chapter five of the Consolidated Laws,' by inserting therein a new section, to be known as section one hundred and twenty-six-a, relative to the payment of the cost of operating lift or swing bridges in towns and villages."

Also, Senate bill introduced by Mr. Black (No. 2013, Rec. No. 466), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section four of article four of the Constitution, in relation to the salary of Governor."

Also, Senate bill introduced by Mr. Wainwright (No. 1994, Rec. No. 524), entitled "An act authorizing the village of Irvington to accept certain improved roadways as public streets."

Also, Senate bill introduced by Mr. Rose (No. 1311, Rec. No. 375), entitled "An act to amend the Village Law, in relation to licensing occupations."

Also, Senate bill introduced by Mr. T. D. Sullivan (No. 1479, Rec. No. 381), entitled "An act to amend the Code of Civil Procedure, in relation to agreements between parties to bonds and undertakings and their corporate sureties."

Also, Senate bill introduced by Mr. Harte (No. 1226, Rec. No. 504), entitled "An act to amend the Greater New York charter, in relation to the compensation of repairing water meters in the borough of Queens."

Also, Senate bill introduced by Mr. Platt (No. 2107, Rec. No. 528), entitled "An act making an appropriation to expedite the building of certain routes in the State highway system."

Also, Senate bill introduced by Mr. Grady (No. 1610, Rec.

No. 455), entitled "An act to amend the Banking Law, in relation to security to be furnished by banks designated as depositaries of court funds."

Also, Senate bill introduced by Mr. Grady (No. 1033, Rec. No. 454), entitled "An act to amend the Banking Law, in relation to banks designated as depositaries of court funds."

Also, Senate bill introduced by Mr. Brackett (No. 1075, Rec. No. 348), entitled "An act making an appropriation for highway improvement to expedite the completion of State route number forty-three."

Also, Senate bill introduced by Mr. T. D. Sullivan (No. 2113, Rec. No. 522), entitled "An act to amend the Banking Law, relative to certain foreign banking corporations."

Also, Senate bill introduced by Mr. Hinman (No. 1908, Rec. No. 434), entitled "An act to amend chapter seven hundred and fifty-one of the Laws of nineteen hundred and seven, entitled 'An act to revise the charter of the city of Binghamton,' relative to number and grade of policemen."

Also, Senate bill introduced by Mr. Long (No. 1993, Rec. No. 515), entitled "An act to authorize the board of supervisors in a county adjoining a city of the first class to establish police districts outside the limits of any incorporated village therein."

Also, Senate bill introduced by Mr. Stilwell (No. 2114, Rec. No. 519), entitled "An act to amend section one hundred and five of article ten of chapter eighteen of the Consolidated Laws, in relation to notaries public."

Also, Senate bill introduced by Mr. T. D. Sullivan (No. 1887, Rec. No. 418), entitled "An act to amend the General Municipal Law and the State Finance Law, in relation to the awarding of contracts."

Also, Senate bill introduced by Mr. Bayne (No. 1711, Rec. No. 393), entitled "An act to amend chapter five hundred and twenty-six of the Laws of nineteen hundred and five, entitled 'An act to incorporate the Staten Island Association of Arts and Sciences and providing for the care and housing of its museum and library by the city of New York,' generally, and to incorporate in one act the acts relating to said association."

Also, Senate bill introduced by Mr. Bayne (No. 1967, Rec. No.

445), entitled "An act to amend chapter three hundred and ninety-four of the Laws of nineteen hundred and two, as amended by chapter thirty-three of the Laws of nineteen hundred and four, entitled 'An act to incorporate The Diocesan Missions of Long Island and to define its objects and powers in the missionary work of the Protestant Episcopal Church in the Diocese of Long Island.'"

Also, Senate bill introduced by Mr. Platt (No. 2137, Rec. No. 517), entitled "An act to amend an act, entitled 'An act to revise the charter of the city of Hornellsville and to change the name thereof,' in relation to bonds," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Schifferdecker (No. 2068, Int. No. 1680), entitled "An act to amend the Greater New York charter, in relation to creating a board of trustees of home assistance in the city of New York for dependent widows with children and dependent members of families of consumptives."

Also, Assembly bill introduced by Mr. Jackson (No. 1995, Int. No. 1638), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section nine of article eight of the Constitution, in relation to the health, safety, compensation for injuries, insurance against accidents and welfare of employees."

Also, Assembly bill introduced by Mr. Weil (No. 662, Int. No. 627), entitled "An act to amend the Greater New York charter, in relation to establishing temporary shelters on the water front for sleeping accommodation of women and children during the summer months."

Also, Assembly bill introduced by Mr. Ward (No. 2585, Int. No. 331), entitled "An act to amend the Penal Law, in relation to the sale and possession of weapons and explosives, and to impose taxes in respect thereto."

Also, Assembly bill introduced by Mr. Monezynski (No. 1760, Int. No. 1476), entitled "An act to amend the Lien Law, in relation to mechanics' liens," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Foley (No. 1493, Int. No. 1261), entitled "An act constituting the charter of the city of New York," reported the following substitute bill:

(See Appendix No. 31.)

and requests that said bill be recommitted to said committee, which report was agreed to, and said substitute bill ordered printed and recommitted to said committee.

Mr. Speaker announced the special order, being the Senate bill (No. 2155, Rec. No. 525), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to city and ward boundaries."

On motion of Mr. Jackson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------|----------|---------|------------|-----------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Beach | Ebbetts | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Heyman | Mork | Sweet |
| Brace | Farrell | Higgins | Myers | Talmage |
| Brennan | Fay | Hinman | Neupert | Terry |
| Breton | Filley | Hoey | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Ward |
| Bush | Fry | Jackson | O'Neil M A | Warren |
| Butler | Geatons | Jameson | Parker A | Waters F A |
| Carew | Gerhardt | Jones | Parker J S | Waters R B |
| Caughlan | Gerken | Keys | Patrie | Weil |
| Cheney | Gillen | Kopp | Phillips C W | Wende |
| Coffey | Goldberg | Lansing | Phillips J S | Wheeler |
| Collin | Goldstein | LaReau | Pierce | White |
| Colné | Goodwin | Levy J | Saunders | Wilson |
| Connell | Gould | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Seeley | Yale |
| Cosad | Gregg | Martin | Shannon | Yeomans |
| Cross | Gurnett | McCue | Shide | Young |
| Cuvillier | Hackett | McDaniels | Shepardson | Zorn |
| Cawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2089, Rec. No. 518), entitled "An act to amend chapter thirteen of the Laws of nineteen hundred and nine, entitled 'An act relating to canals, constituting chapter five of the Consolidated Laws,' by inserting therein a new section, to be known as section one hundred and twenty-six-a, relative to the payment of the cost of operating lift or swing bridges in towns and villages."

On motion of Mr. Manley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J J | Meritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Hinman | Mork | Sweet |
| Brace | Farrell | Higgins | Myers | Talmage |
| Brennan | Fay | Hinman | Neupert | Terry |
| Brereton | Filley | Hoey | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Ward |
| Bush | Fry | Jackson | O'Neil M A | Warren |
| Butler | Geatons | Jameson | Parker A | Waters F A |
| Carew | Gerhardt | Jones | Parker J S | Waters R B |
| Caughlan | Gerken | Keys | Patrie | Weil |
| Cherey | Gillen | Kopp | Phillips C W | Wende |
| Coffey | Goldberg | Lansing | Phillips J S | Wheeler |
| Collin | Goldstein | LaReau | Fierce | White |
| Colné | Goodwin | Levy J | Saunders | Wilson |
| Cannell | Gould | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Seeley | Yale |
| Cosad | Gregg | Martin | Shannon | Yeomans |
| Cross | Gurnett | McCue | Sheide | Young |
| Civillier | Hackett | McDaniels | Shepardson | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2013, Rec. No. 466), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section four of article four of the Constitution, in relation to the salary of Governor."

On motion of Mr. W. R. Herrick, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|---------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Heyman | Mork | Sweet |
| Brace | Fairrell | Higgins | Myers | Talmaze |
| Brennan | Fay | Hinman | Neupert | Terry |
| Brereton | Fillee | Hoe | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Toubly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Ward |
| Bush | Fry | Jackson | O'Neil M A | Warren |
| Butler | Geatons | Jameson | Parker A | Waters F A |
| Carew | Gerhardt | Jones | Parker J S | Waters R B |
| Caughlan | Gerken | Keys | Patrie | Weil |
| Cheney | Gillen | Kopp | Phillips C W | Wende |
| Coffey | Goldberg | Lansing | Phillips J S | Wheeler |
| Collin | Goldstein | LaReau | Pierce | White |
| Colné | Goodwin | Levy J | Saunders | Wilson |
| Connell | Gould | Macdonald | Schiffedacker | Winters |
| Constantine | Graubard | Manley | Sceley | Yale |
| Cosad | Gregg | Martin | Shannon | Yeomans |
| Cross | Gurnett | McCue | Sheide | Young |
| Civillier | Hackett | McDaniels | Shepardson | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1994, Rec. No. 524), entitled "An act authorizing the village of Irvington to accept certain improved roadways as public streets."

On motion of Mr. Young, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Heyman | Mork | Sweet |
| Brace | Farrell | Higgins | Myers | Talmage |
| Brennan | Fay | Hinman | Neupert | Terry |
| Brereton | Filley | Hoey | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Ward |
| Bush | Fry | Jackson | O'Neil M A | Warren |
| Butler | Geatons | Jameson | Parker A | Waters F A |
| Carew | Gerhardt | Jones | Parker J S | Waters R B |
| Caughlan | Gerken | Keys | Patrie | Weil |
| Cheney | Gillen | Kopp | Phillips C W | Wende |
| Coffey | Goldberg | Lansing | Phillips J S | Wheeler |
| Collin | Goldstein | LaReau | Pierce | White |
| Colné | Goodwin | Levy J | Saunders | Wilson |
| Connell | Gould | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Seeley | Yale |
| Cosad | Gregg | Martin | Shannon | Yeomans |
| Cross | Gurnett | McCue | Sheide | Young |
| Cuvillier | Hackett | McDaniels | Shepardson | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1311, Rec. No. 375), entitled "An act to amend the Village Law, in relation to licensing occupations."

Said bill having been announced for a second reading.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Tuesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 1479, Rec. No. 381), entitled "An act to amend the Code of Civil Procedure, in relation to agreements between parties to bonds and undertakings and their corporate sureties."

On motion of Mr. Oliver, said bill was read the second time, and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 2

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| A ller | Dawson | Hackett | McDaniels | Shepardson |
| Allen | Day | Haines | McElligott | Shlivek |
| Baumes | Donnelly | Hammond | McGrath | Shortt |
| Beach | Donovan | Hart | McKeon | Smith A E |
| Blauvelt | Ebbetts | Herrick J J | Merritt | Stivers |
| Boylan | Egan | Herrick W R | Miller | Sullivan |
| Brace | Evans | Heyman | Mork | Sweet |
| Brennan | Farrell | Higgins | Myers | Talmage |
| Brereton | Fay | Hinman | Neupert | Terry |
| Bridenbecker | Filley | Hoey | Nolan | Thorn |
| Brooks | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Bryant | Foley | Hoyt | Oliver | Turley |
| Bush | Friedman | Huber | O'Neill J J | Warren |
| Butler | Fry | Jackson | O'Neil M A | Waters F A |
| Carew | Geatons | Jameson | Parker A | Waters R B |
| Caughlan | Gerhardt | Jones | Parker J S | Weil |
| Cheney | Gerken | Keys | Patrie | Wende |
| Coffey | Gillen | Kopp | Phillips C W | Wheeler |
| Collin | Goldberg | Lansing | Phillips J S | White |
| Colné | Goldstein | LaReau | Pierce | Wilson |
| Connell | Goodwin | Levy J | Saunders | Winters |
| Constantine | Gould | Macdonald | Schifferdecker | Yale |
| Cosad | Graubard | Manley | Seeley | Yeoman |
| Cross | Gregg | Martin | Shannon | Young |
| Cuvillier | Gurnett | McCue | Sheide | Zorn |

Those who voted in the negative were:

Murray Ward

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1226, Rec. No. 504), entitled "An act to amend the Greater New York charter, in relation to the compensation of repairing water meters in the borough of Queens."

On motion of Mr. Zorn, said bill was read the second time, and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Heyman | Mork | Sweet |
| Brace | Farrell | Higgins | Myers | Talmage |
| Brennan | Fay | Hinman | Neupert | Terry |
| Brereton | Filley | Hoey | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Ward |
| Bush | Fry | Jackson | O'Neil M A | Warren |
| Butler | Geatons | Jameson | Parker A | Waters F A |
| Carew | Gerhardt | Jones | Parker J S | Waters R B |
| Caughlan | Gerken | Keys | Patrie | Weil |
| Cheney | Gillen | Kopp | Phillips C W | Wende |
| Coffey | Goldberg | Lansing | Phillips J S | Wheeler |
| Collin | Golds' ein | LaReau | Pierce | White |
| Colné | Goodwin | Levy J | Saunders | Wilson |
| Connell | Gould | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Seeley | Yale |
| Cosad | Gregg | Martin | Shannon | Yeomans |
| Cross | Gurnett | McCue | Sheide | Young |
| Cuvillier | Hackett | McDaniels | Shepardson | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2107, Rec. No. 528), entitled "An act making an appropriation to expedite the building of certain routes in the State highway system."

On motion of Mr. Winters, said bill was read the second time, and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Heyman | Mork | Sweet |
| Brace | Farrell | Higgins | Myers | Talmage |
| Brennan | Fay | Hinman | Neupert | Terry |
| Brereton | Filley | Hoey | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Ward |
| Bush | Fry | Jackson | O'Neil M A | Warren |
| Butler | Geatons | Jameson | Parker A | Waters F A |
| Carew | Gerhardt | Jones | Parker J S | Waters R B |
| Caughlan | Gerken | Keys | Patrie | Weil |
| Cheney | Gillen | Kopp | Phillips C W | Wende |
| Coffey | Goldberg | Lansing | Phillips J S | Wheeler |
| Collin | Goldstein | LaReau | Pierce | White |
| Colné | Goodwin | Levy J | Saunders | Wilson |
| Connell | Gould | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Seely | Yale |
| Cosad | Gregg | Martin | Shannon | Yeomans |
| Cross | Gurnett | McCue | Sheide | Young |
| Cuvillier | Hackett | McDaniels | Shepardson | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1610, Rec. No. 455), entitled "An act to amend the Banking Law, in relation to security to be furnished by banks designated as depositaries of court funds."

On motion of Mr. Oliver, said bill was read the second time, and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 2

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Heyman | Mork | Sweet |
| Brace | Farrell | Higgins | Myers | Talmage |
| Brennan | Fay | Hinman | Neupert | Terry |
| Brereton | Filley | Hoey | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Ward |
| Bush | Fry | Jackson | O'Neil M A | Warren |
| Butler | Geatons | Jameson | Parker A | Waters F A |
| Carew | Gerhardt | Jones | Parker J S | Waters R B |
| Caughlan | Gerken | Keys | Patrie | Weil |
| Cheney | Gillen | Kopp | Phillips C W | Wende |
| Coffey | Goldberg | Lansing | Phillips J S | Wheeler |
| Collin | Goldstein | LaReau | Pierce | White |
| Connell | Goodwin | Levy J | Saunders | Wilson |
| Constantine | Gould | Macdonald | Schifferdecker | Winters |
| Cosad | Graubard | Manley | Seeley | Yale |
| Cross | Gregg | Martin | Shannon | Yeomans |
| Cuvillier | Gurnett | McCue | Sheide | Young |
| Dawson | Hackett | McDaniels | Shepardson | Zorn |

Those who voted in the negative were:

Colné Murray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1033, Rec. No. 454), entitled "An act to amend the Banking Law, in relation to banks designated as depositaries of court funds."

On motion of Mr. Oliver, said bill was read the second time, and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 3

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Heyman | Mork | Sweet |
| Brace | Farrell | Higgins | Myers | Talmage |
| Brennan | Fay | Hinman | Nupert | Terry |
| Brereton | Fillee | Hoey | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Warren |
| Bush | Fry | Jackson | O'Neil M A | Waters F A |
| Butler | Geatons | Jameson | Parker A | Waters R B |
| Carew | Gerhardt | Jones | Parker J S | Weil |
| Caughlan | Gerken | Keys | Patrie | Wende |
| Cheney | Gillen | Kopp | Phillips C W | Wheeler |
| Coffey | Goldberg | Lansing | Phillips J S | White |
| Collin | Goldstein | LaReau | Pierce | Wilson |
| Connell | Goodwin | Levy J | Saunders | Winters |
| Constantine | Could | Macdonald | Schifferdecker | Yale |
| Cosad | Graubard | Manley | Seeley | Yeomans |
| Cross | Gregg | Martin | Shannon | Young |
| Cuvillier | Gurnett | McCue | Sheide | Zorn |
| Dawson | Hackett | McDaniels | Shepardson | |

Those who voted in the negative were:

Colné Murray Ward

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1075, Rec. No. 348), entitled "An act making an appropriation for highway improvement to expedite the completion of State route number forty-three."

On motion of Mr. Martin, said bill was read the second time, and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Heyman | Mork | Sweet |
| Brace | Farrell | Higgins | Myers | Talmage |
| Brennan | Fay | Hinman | Neupert | Terry |
| Brereto | Filley | Hoey | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Ward |
| Bush | Fry | Jackson | O'Neil M A | Warren |
| Butler | Geatons | Jameson | Parker A | Waters F A |
| Carew | Gerhardt | Jones | Parker J S | Waters R B |
| Caughlan | Gerken | Keys | Patrie | Weil |
| Cheney | Gillen | Kopp | Phillips C W | Wende |
| Coffey | Goldberg | Lansing | Phillips J S | Wheeler |
| Collin | Goldstein | LaReau | Pierce | White |
| Colné | Goodwin | Levy J | Saunders | Wilson |
| Connell | Gould | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Seeley | Yale |
| Cosad | Gregg | Martin | Shannon | Ycomans |
| Cross | Gurnett | McCue | Sheide | Young |
| Cuvillier | Hackett | McDaniels | Shepardson | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2113, Rec. No. 532), entitled "An act to amend the Banking Law, relative to certain foreign banking corporations."

On motion of Mr. A. E. Smith, said bill was read the second time, and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126
NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Heyman | Mork | Sweet |
| Brace | Farrell | Higgins | Myers | Talmage |
| Brennan | Fay | Hinman | Neupert | Terry |
| Brereton | Fillee | Hoey | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Ward |
| Bush | Fry | Jackson | O'Neil M A | Warren |
| Butler | Geatons | Jameson | Parker A | Waters F A |
| Carew | Gerhardt | Jones | Parker J S | Waters R B |
| Caughlan | Gerken | Keys | Patrie | Weil |
| Cheney | Gillen | Kopp | Phillips C W | Wende |
| Coffey | Goldberg | Lansing | Phillips J S | Wheeler |
| Collin | Goldstein | LaReau | Pierce | White |
| Colné | Goodwin | Levy J | Saunders | Wilson |
| Connell | Gould | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Seeley | Yale |
| Cosad | Gregg | Martin | Shannon | Yeomans |
| Cross | Gurnett | McCue | Sheide | Young |
| Cuvillier | Hackett | McDaniels | Shepardson | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1908, Rec. No. 434), entitled "An act to amend chapter seven hundred and fifty-one of the Laws of nineteen hundred and seven, entitled 'An act to revise the charter of the city of Binghamton,' relative to number and grade of policemen."

On motion of Mr. Butler, said bill was read the second time, and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Heyman | Mork | Sweet |
| Brace | Farrell | Higgins | Myers | Talmage |
| Brennan | Fay | Hinman | Neupert | Terry |
| Brereton | Filley | Hoey | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Ward |
| Bush | Fry | Jackson | O'Neil M A | Warren |
| Butler | Geatons | Jameson | Parker A | Waters F A |
| Carew | Gerhardt | Jones | Parker J S | Waters R B |
| Caughlan | Gerken | Keys | Patrie | Weil |
| Cheney | Gillen | Kopp | Phillips C W | Wende |
| Coffey | Goldberg | Lansing | Phillips J S | Wheeler |
| Collin | Goldstein | LaReau | Pierce | White |
| Colné | Goodwin | Levy J | Saunders | Wilson |
| Connell | Gould | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Seeley | Yale |
| Cosad | Gregg | Martin | Shannon | Yeomans |
| Cross | Gurnett | McCue | Sheide | Young |
| Cuvillier | Hackett | McDaniels | Shepardson | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1993, Rec. No. 515), entitled "An act to authorize the board of supervisors in a county adjoining a city of the first class to establish police districts outside the limits of any incorporated village therein."

On motion of Mr. Sheide, said bill was read the second time, and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Heyman | Mork | Sweet |
| Brace | Farrell | Higgins | Myers | Talmage |
| Brennan | Fay | Hinman | Neupert | Terry |
| Brereton | Filey | Hoey | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Ward |
| Bush | Fry | Jackson | O'Neil M A | Warren |
| Butle | Geatons | Jameson | Parker A | Waters F A |
| Carew | Gerhardt | Jones | Parker J S | Waters R B |
| Caughlan | Gerken | Keys | Patrie | Weil |
| Cheney | Gillen | Kopp | Phillips C W | Wende |
| Coffey | Goldberg | Lansing | Phillips J S | Wheeler |
| Collin | Goldstein | LaReau | Pierce | White |
| Colué | Goodwin | Levy J | Saunders | Wilson |
| Connell | Gould | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Seeley | Yale |
| Cosad | Gregg | Martin | Shannon | Yeomans |
| Cross | Gurnett | McCue | Sheide | Young |
| Cuvillier | Hackett | McDaniels | Shepardson | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2114, Rec. No. 519), entitled "An act to amend section one hundred and five of article ten of chapter eighteen of the Consolidated Laws, in relation to notaries public."

On motion of Mr. Mork, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Heyman | Mork | Sweet |
| Brace | Farrell | Higgins | Myers | Talmage |
| Brennan | Fay | Hinman | Neupert | Terry |
| Brereton | Filley | Hoey | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neil J J | Ward |
| Bush | Geatons | Jackson | O'Neil M A | Warren |
| Butler | Gerhardt | Jameson | Parker A | Waters F A |
| Carew | Gerken | Jones | Parker J S | Waters R B |
| Caughlan | Gillen | Keys | Patrie | Weil |
| Cheney | Goldberg | Kopp | Phillips C W | Wende |
| Coffey | Goldstein | Lansing | Phillips J S | Wheeler |
| Collin | Goodman | LaReau | Pierce | White |
| Colné | Goodwin | Levy J | Saunders | Wilson |
| Connell | Gould | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Seeley | Yale |
| Cosad | Gregg | Martin | Shannon | Yeon ans |
| Cross | Gurnett | McCue | Sheide | Young |
| Cuvillier | Hackett | McDaniels | Shepardson | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1887, Rec. No. 418), entitled "An act to amend the General Municipal Law and the State Finance Law, in relation to the awarding of contracts."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 3

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J | Merritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Heyman | Mork | Sweet |
| Brace | Farrell | Higgins | Myers | Talmage |
| Brennan | Fay | Hinman | Neupert | Terry |
| Brereton | Filley | Hoey | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Warren |
| Bush | Fry | Jackson | O'Neil M A | Waters F A |
| Butler | Geatons | Jameson | Parker A | Waters R B |
| Carew | Gerhardt | Jones | Parker J S | Weil |
| Caughlan | Gerken | Keys | Patrie | Wende |
| Cheney | Gillen | Kopp | Phillips C W | Wheeler |
| Coffey | Goldberg | Lansing | Phillips J S | White |
| Collin | Goldstein | LaReau | Pierce | Wilson |
| Connell | Goodwin | Levy J | Saunders | Winters |
| Constantine | Gould | Macdonald | Schifferdecker | Yale |
| Cosad | Graubard | Manley | Seeley | Yeomans |
| Cross | Gregg | Martin | Shannon | Young |
| Cuvillier | Gurnett | McCue | Sheide | Zorn |
| Dawson | Hackett | McDaniels | Shepardson | |

Those who voted in the negative were:

| | | |
|-------|--------|------|
| Colne | Murray | Ward |
|-------|--------|------|

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1711, Rec. No. 393), entitled "An act to amend chapter five hundred and twenty-six of the Laws of nineteen hundred and five, entitled 'An act to incorporate the Staten Island Association of Arts and Sciences and providing for the care and housing of its museum and library by the city of New York,' generally, and to incorporate in one act the acts relating to said association."

On motion of Mr. Shortt, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Heyman | Mork | Sweet |
| Brace | Farrell | Higgins | Myers | Talmage |
| Brennan | Fay | Hinman | Neupert | Terry |
| Brereton | Filley | Hoey | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Ward |
| Bush | Geatons | Jackson | O'Neil M A | Warren |
| Butler | Gerhardt | Jameson | Parker A | Waters F A |
| Carew | Gerken | Jones | Parker J S | Waters R B |
| Caughlan | Gillen | Keys | Patrie | Weil |
| Cheney | Goldberg | Kopp | Phillips C W | Wende |
| Coffey | Goldstein | Lansing | Phillips J S | Wheeler |
| Collin | Goodman | LaReau | Pierce | White |
| Colné | Goodwin | Levy J | Saunders | Wilson |
| Connell | Gould | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Seeley | Yale |
| Cosad | Gregg | Martin | Shannon | Yeomans |
| Cross | Gurnett | McCue | Sheide | Young |
| Cuvillier | Hackett | McDaniels | Shepardson | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1967, Rec. No. 445), entitled "An act to amend chapter three hundred and ninety-four of the Laws of nineteen hundred and two, as amended by chapter thirty-three of the Laws of nineteen hundred and four, entitled 'An act to incorporate The Diocesan Missions of Long Island and to define its objects and powers in the missionary work of the Protestant Episcopal Church in the Diocese of Long Island.'"

On motion of Mr. Shortt, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|-------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Poylan | Evans | Heyman | Mork | Sweet |
| Brace | Farrell | Hinman | Myers | Talmage |
| Brennan | Fay | Hoey | Neupert | Terry |
| Brereton | Fillee | Hoff | Nolan | Thorn |
| Bridenbaker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Ward |
| Bush | Geatons | Jackson | O'Neil M A | Warren |
| Butler | Gerhardt | Jameson | Parker A | Waters F A |
| Carew | Gerken | Jones | Parker J S | Waters R B |
| Caughlan | Gillen | Keys | Patrie | Weil |
| Cheney | Goldberg | Kopp | Phillips C W | Wende |
| Coffey | Goldstein | Lansing | Phillips J S | Wheeler |
| Collin | Goodman | LaReau | Pierce | White |
| Co'ne | Goodwin | Levy J | Saunders | Wilson |
| Connell | Gould | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Seeley | Yale |
| Cosad | Gregg | Martin | Shannon | Yeoman |
| Cross | Gurnett | McCue | Sheide | Young |
| Cuvillier | Hackett | McDaniels | Shepardson | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2137, Rec. No. 517), entitled "An act to amend an act, entitled 'An act to revise the charter of the city of Hornellsville and to change the name thereof,' in relation to bonds."

On motion of Mr. Seeley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Heyman | Mork | Sweet |
| Brace | Farrell | Higgins | Myers | Talmage |
| Brennan | Fay | Hinman | Neupert | Terry |
| Brereton | Filley | Hoev | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Ward |
| Bush | Fry | Jackson | O'Neil M A | Warren |
| Butler | Geatons | Jameson | Parker A | Waters F A |
| Carew | Gerhardt | Jones | Parker J S | Waters R B |
| Caughlan | Gerken | Keys | Patrie | Weil |
| Cheney | Gillen | Kopp | Phillips C W | Wende |
| Coffey | Goldberg | Lansing | Phillips J S | Wheeler |
| Collin | Goldstein | LaReau | Pierce | White |
| Colné | Goodwin | Levy J | Saunders | Wilson |
| Connell | Gould | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Seeley | Yale |
| Cosad | Gregg | Martin | Shannon | Yeoman's |
| Cross | Gurnett | McCue | Sheide | Young |
| Cuvillier | Hackett | McDaniels | Shepardson | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1760, Int. No. 1476), entitled "An act to amend the Lien Law, in relation to mechanics' liens."

Said bill having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Tuesday next.

Mr. Speaker announced the special order, being the bill (No. 662, Int. No. 627), entitled "An act to amend the Greater New York charter, in relation to establishing temporary shelters on the water front for sleeping accommodation of women and children during the summer months."

On motion of Mr. Weil, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Heyman | Mork | Sweet |
| Brace | Farrell | Higgins | Myers | Talmage |
| Brennan | Fay | Hinman | Neupert | Terry |
| Brereton | Filley | Hoey | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Ward |
| Bush | Fry | Jackson | O'Neil M A | Warren |
| Butler | Geatons | Jameson | Parker A | Waters F A |
| Carew | Gerhardt | Jones | Parker J S | Waters R B |
| Caughlan | Gerken | Keys | Patrie | Weil |
| Cheney | Gillen | Kopp | Phillips C W | Wende |
| Coffey | Goldberg | Lansing | Phillips J S | Wheeler |
| Collin | Goldstein | LaReau | Pierce | White |
| Colné | Goodwin | Levy J | Saunders | Wilson |
| Connell | Gould | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Seeley | Yale |
| Cosad | Gregg | Martin | Shannon | Yeomans |
| Cross | Gurnett | McCue | Sheide | Young |
| Cuvillier | Hackett | McDaniels | Shepardson | Zorn |
| Dawson | | | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1995, Int. No. 1638), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section nine of article eight of the Constitution, in relation to the health, safety, compensation for injuries, insurance against accidents and welfare of employees."

Said bill having been announced for a second reading,

On motion of Mr. Jackson, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Tuesday next.

Mr. Speaker announced the special order, being the bill (No. 2068, Int. No. 1680), entitled "An act to amend the Greater New York charter, in relation to creating a board of trustees of home assistance in the city of New York for dependent widows with children and dependent members of families of consumptives."

On motion of Mr. Schifferdecker, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Heyman | Mork | Swæet |
| Brace | Farrell | Higgins | Myers | Talmage |
| Brennan | Fay | Hinman | Neupert | Terry |
| Brereton | Fillee | Hoey | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Ward |
| Bush | Fry | Jackson | O'Neil M A | Warren |
| Butler | Geatons | Jameson | Parker A | Waters F A |
| Carew | Gerhardt | Jones | Parker J S | Waters R B |
| Caughlan | Gerken | Keys | Patrie | Weil |
| Cheney | Gillen | Kopp | Phillips C W | Wende |
| Coffey | Goldberg | Lansing | Phillips J S | Wheeler |
| Collin | Goldstein | LaReau | Pierce | White |
| Colné | Goodwin | Levy J | Saunders | Wilson |
| Connell | Gould | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Secley | Yale |
| Cosad | Gregg | Martin | Shannon | Yeomans |
| Cross | Gurnett | McCue | Sheide | Young |
| Cuvillier | Hackett | McDaniels | Shepardson | Zorn |
| Dawson | | | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 2578, Int. No. 1248) entitled "An act to consolidate and revise the laws relating to the city of Lockport," having been announced for a third reading,

On motion of Mr. Merritt, and by unanimous consent, said bill was ordered placed on the third reading calendar for Friday next.

The bill (No. 2576, Int. No. 901) entitled "An act to amend the Railroad Law, in relation to the revocation of the appointment of conductors and brakemen as policemen," having been announced for a third reading,

On motion of Mr. Patrie, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 2577, Int. No. 1797) entitled "An act to provide for the construction of a bridge by the State over a portion of the Oswego river at Phoenix, in the county of Oswego, and making an appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Heyman | Mork | Sweet |
| Brace | Farrell | Higgins | Myers | Talmage |
| Brennan | Fay | Hinman | Neupert | Terry |
| Brereton | Filley | Hoey | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Ward |
| Bush | Fry | Jackson | O'Neil M A | Warren |
| Butler | Geatons | Jameson | Parker A | Waters F A |
| Carew | Gerhardt | Jones | Parker J S | Waters R B |
| Caughlan | Gerken | Keys | Patrie | Weil |
| Cheney | Gill n | Kopp | Phillips C W | Wende |
| Coffey | Goldberg | Lansing | Phillips J S | Wheeler |
| Collin | Goldstein | LaReau | Pierce | White |
| Colné | Goodwin | Levy J | Saunders | Wilson |
| Connell | Gould | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Seeley | Yale |
| Cosad | Gregg | Martin | Shannon | Yeomans |
| Cross | Gurnett | McCue | Sheide | Young |
| Cuvillier | Hackett | McDaniels | Shepardson | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

The Senate returned the Assembly bill (No. 2480, Senate Reprint No. 2141, Int. No. 712), entitled "An act to authorize the board of assessors of the city of New York to determine and allow the damage sustained by owners of real property in the borough of Manhattan, city of New York, by reason of the construction of lateral driveways to connect the grade of One Hundred and Forty-fifth street with the grade of Riverside drive," with a message that they have concurred in the passage of the same, with the following amendment:

Page 2, line 10, at the end of said line insert in italics the following: "No interest shall be allowed on said damages."

Mr. Ward moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Day | Haines | McGrath | Shlivek |
| Allen | Donnelly | Hammond | McKeon | Shortt |
| Baumes | Donovan | Hart | Merritt | Smith A E |
| Beach | Ebbetts | Herrick J J | Miller | Stivers |
| Blauvelt | Egan | Herrick W R | Mork | Sullivan |
| Boylan | Evans | Heyman | Myers | Sweet |
| Brace | Farrell | Higgins | Neupert | Talmage |
| Brennan | Fay | Hinman | Nolan | Terry |
| Brereton | Filley | Hoey | O'Connor | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | Oliver | Trombly |
| Brooks | Foley | Hoyt | O'Neill J J | Turley |
| Bryant | Friedman | Huber | O'Neil M A | Ward |
| Bush | Fry | Jackson | Parker A | Warren |
| Butler | Geatons | Jameson | Parker J S | Waters F A |
| Carew | Gerhardt | Jones | Patrie | Waters R B |
| Caughlan | Gerken | Keys | Phillips C W | Weil |
| Cheney | Gillen | Lansing | Phillips J S | Wende |
| Coffey | Goldberg | LaReau | Pierce | Wheeler |

| | | | | |
|-------------|-----------|------------|----------------|---------|
| Collin | Goldstein | Levy J | Saunders | White |
| Colné | Goodwin | Macdonald | Schifferdecker | Wilson |
| Connell | Gould | Manley | Seeley | Winters |
| Constantine | Graubard | Martin | Shannon | Yale |
| Cosad | Gregg | McCue | Shea | Yeomans |
| Cross | Gurnett | McDaniels | Sheide | Young |
| Cuvillier | Hackett | McElligott | Shepardson | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 2075, Senate Reprint No. 2003, Int. No. 1687), entitled "An act to provide for the purchase of a plot of land, or the obtaining of a grant or the privilege of a plot of land or a site on the battlefield of Antietam, and for the erection of a monument in commemoration of the Fourteenth Regiment, New York State Militia, Infantry, known upon the rolls of the United States army during the late Civil War as the Eighty-fourth New York Volunteers, Infantry, who were engaged in the battle of Antietam, Maryland, September sixteenth and seventeenth, eighteen hundred and sixty-two, and making an appropriation therefor; and amendatory of chapter five hundred and thirteen of the Laws of nineteen hundred and ten, making appropriation for a suitable site on the battlefield of Antietam, Maryland, and the erection thereon of a monument in commemoration of the services, et cetera, of the Fourteenth Regiment of the New York State Militia, Infantry," with a message that they have concurred in the passage of the same, with the following amendment:

Page 1, on line 11 of the title, strike out the word "fifty" and insert in place thereof the word "thirteen".

Mr. Hoff moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McGrath | Shlivek |
| Allen | Donnelly | Hammond | McKeon | Shortt |
| Baumes | Donovan | Hart | Merritt | Smith A E |
| Beach | Ebbetts | Herrick J J | Miller | Stivers |
| Blauvelt | Egan | Herrick W R | Mork | Sullivan |
| Boylan | Evans | Heyman | Myers | Sweet |
| Brace | Farrell | Higgins | Neupert | Talmage |
| Brennan | Fay | Hinman | Nolan | Terry |
| Biereton | Filley | Hoey | O'Connor | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | Oliver | Trombly |
| Brooks | Foley | Hoyt | O'Neill J J | Turley |
| Bryant | Friedman | Huber | O'Neil M A | Ward |
| Bush | Fry | Jackson | Parker A | Warren |
| Butler | Geatons | Jameson | Parker J S | Waters F A |
| Carew | Gerhardt | Jones | Patrie | Waters R B |
| Caughlan | Gerken | Keys | Phillips C W | Weil |
| Cheney | Gillen | Lansing | Phillips J S | Wende |
| Coffey | Goldberg | LaReau | Pierce | Wheeler |
| Collin | Goldstein | Levy J | Saunders | White |
| Colné | Goodwin | Macdonald | Schifferdecker | Wilson |
| Connell | Gould | Manley | Seeley | Winters |
| Constantine | Graubard | Martin | Shannon | Yale |
| Cosad | Gregg | McCue | Shea | Yeomans |
| Cross | Gurnett | McDaniels | Sheide | Young |
| Cuvillier | Hackett | McElligott | Shepardson | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 1878, Senate Reprint No. 2162, Int. No. 1551), entitled "An act making appropriations for Letchworth Village," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, strike out lines 23, 24, 25 and 26.

On page 3, strike out lines 1, 2, 3, 4, 5, 6, 7 and 8.

Mr. A. E. Smith moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Dennelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Heyman | Mork | Sweet |
| Brace | Farrell | Higgins | Myers | Talmage |
| Brennan | Fay | Hinman | Neupert | Terry |
| Brereton | Filley | Hoey | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Ward |
| Bush | Fry | Jackson | O'Neil M A | Warren |
| Butler | Geatons | Jameson | Parker A | Waters F A |
| Carew | Gerhardt | Jones | Parker J S | Waters R B |
| Caughlan | Gerken | Keys | Patrie | Weil |
| Cheney | Gillen | Kopp | Phillips C W | Wende |
| Coffey | Goldberg | Lansing | Phillips J S | Wheeler |
| Collin | Goldstein | LaReau | Pierce | White |
| Colné | Goodwin | Levy J | Saunders | Wilson |
| Connell | Gould | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Seeley | Yale |
| Cosad | Gregg | Martin | Shannon | Yeomans |
| Cross | Gurnett | McCue | Sheide | Young |
| Cuvillier | Hackett | McDaniels | Shepardson | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1877, Senate Reprint No. 2157, Int. No. 1550), entitled "An act making appropriations for the New York State Training School for Boys," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, strike out lines 7, 8, 9 and 10.

On page 2, strike out lines 1, 2, 3 and 4.

On page 2, line 7, strike out the words "including equipment, twenty" and insert in place thereof the word "fifteen."

On page 2, line 8, strike out the numerals within the brackets "\$20,000" and insert in place thereof and within said brackets "\$15,000".

On page 2, strike out line 9.

On page 2, line 22, at the end of said line strike out "of the com-".

On page 2, line 23, at the beginning of said line strike out "mission".

Between lines 23 and 24 on page 2, insert in italics the following: "For expenses of the board of managers, two thousand dollars."

On page 2, strike out lines 24, 25 and 26.

On page 3, strike out lines 1 and 2.

On page 3, line 5, strike out the word "payable" and insert in place thereof the word "expended".

On page 3, strike out line 6 and insert in italics in place thereof the following: "board of managers of the".

On page 3, line 7, at the beginning of said line strike out the following: "commission to select a site for the".

On page 3, line 8, strike out the words "appointed under the provisions of chapter seven" and insert in italics in place thereof the following: "In accordance with the provisions of the State Charities Law."

On page 3, strike out lines 9, 10 and 11.

Mr. A. E. Smith moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|-------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Heyman | Mork | Sweet |
| Brace | Farrell | Higgins | Myers | Talmage |
| Brooks | Fay | Hinman | Neupert | Terry |
| Brereton | Filley | Hoey | Nolan | Thorn |
| Bidenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Ward |
| Bush | Fry | Jackson | O'Neil M A | Warren |
| Butler | Geatons | Jameson | Parker A | Waters F A |
| Carew | Gerhardt | Jones | Parker J S | Waters R B |
| Caughlan | Gerken | Keys | Patrie | Weil |
| Cheney | Gillen | Kopp | Phillips C W | Wende |
| Coffey | Goldberg | Lansing | Phillips J S | Wheeler |
| Collin | Goldstein | LaReau | Pierce | White |
| Colné | Goodwin | Levy J | Saunders | Wilson |
| Connell | Gould | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Seeley | Yale |

| | | | | |
|-----------|---------|-----------|------------|---------|
| Cosad | Giegg | Martin | Shannon | Yeomans |
| Cross | Gurnett | McCue | Sheide | Young |
| Cuvillier | Hackett | McDaniels | Shepardson | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2479, Senate Reprint No. 1989, Int. No. 1585), entitled "An act to create a bureau of fire prevention and provide for additional protection to life and property from fire in the city of New York," with a message that they have concurred in the passage of the same, amended by striking out all after the enacting clause and substituting the following therefor:

"Section 1. Duties of fire commissioner. In the city of New York it shall be the duty of the fire commissioner to enforce all laws and ordinances in respect of:

"1. The prevention of fires;

"2. The storage, sale, transportation or use of combustibles, chemicals and explosives;

"3. The construction, maintenance and regulation of fire-escapes;

"4. The construction, installation and maintenance of fire appliances and systems, including automatic or other auxiliary fire alarm systems and fire extinguishing equipment;

"5. The means and adequacy of exit, in case of fire, from asylums, hospitals, churches, schools, halls, theaters, amphitheaters, and all other places in which numbers of persons work, live or congregate from time to time for any purpose.

"§ 2. Powers of the fire commissioner. The fire commissioner in the city of New York is empowered to:

"1. Cause any building, structure, enclosure, vessel, place or premises, or any part thereof, or thing therein or attached thereto, to be examined and inspected by any officer or employee of the department designated for such purposes;

"2. Order, in writing, the remedying of any condition found to exist in, on or about any building, structure, enclosure, vessel, place or premises, or any part thereof, in violation of any laws or ordinances in respect of fires or their prevention, means and adequacy of means of exit from buildings, enclosures, vessels, places and premises;

"3. Require, in writing, the installation and maintenance in any building, structure, enclosure, vessel, place or premises, or any part thereof, or thing therein or attached thereto of automatic

or other auxiliary fire alarm system, or fire extinguishing equipment, or the construction of adequate and properly secured fire-escapes thereon, and such means of egress therefrom, as may be prescribed by any laws or ordinances;

“4. In the case of any building, structure, enclosure, vessel, place or premises which, in the judgment of the fire commissioner, is perilous to life or property in case of fire therein, by reason of the nature or condition of its contents, or its use, or the overcrowding at any time of persons therein, or defects in its construction, or deficiencies in appliances or systems for the prevention, discovery or extinguishing of fires therein, order, in writing, any change which, in the judgment of the fire commissioner, is necessary in respect to the nature or condition of the contents of such building, structure, enclosure, vessel, place or premises, or its use, or the overcrowding at any time of persons therein, or defects in its construction, or deficiencies in appliances or systems for the prevention, discovery or extinguishing of fires therein, and the installation and maintenance of such appliances, systems and other means which, in the judgment of the commissioner, are necessary to remove such peril to life or property in case of fire;

“5. Cause any order issued by the fire commissioner which is not complied with within the time fixed in the order for such compliance, to be enforced, and take proceedings for the enforcement thereof.

“§ 3. Orders of the fire commissioner; court proceedings. (a) Orders of the fire commissioner shall be addressed to the owner or owners, lessees or occupants of the building, structure, enclosure, vessel, place or premises affected thereby, but it shall not be necessary to designate such owner or owners, lessees or occupants by name in any such order, but the premises shall be designated in the address so that the same may be readily identified. Service of any such order may be made by delivery of a copy to the owner or any one of several owners, to a lessee or any one of several lessees, or to any person of suitable age and discretion in charge or apparently in charge of the premises, or if no person be found in charge of the premises then by affixing a copy of such order prominently upon the premises. If the person or persons served with an order herein provided shall immediately agree in writing to comply with such order, within such time as the fire commissioner deems reasonable, the commissioner may fix such time as he deems reasonable within which such owner or owners, lessee or lessees, or occupants may comply with such order; and such owner or owners, lessee or lessees, or occupants shall immediately employ sufficient labor and assistance to comply with such order as expeditiously as it can be done; but upon the refusal or neglect to

comply with any of the requirements of an order so served, a further notice shall be served upon the person or persons heretofore named, in the manner hereinabove provided, notifying him or them that a survey of the premises named in the said order and notice will be made at a time and place therein named, not less than twenty-four hours nor more than three days from the time of the service of said notice, by three competent persons, two of whom shall be named in said notice. One of the surveyors shall be the fire commissioner or a member of the fire department designated in writing by said commissioner; another shall be an architect of at least ten years' experience, or a builder of like experience, or a person who, by reason of special experience, is in the opinion of the mayor, properly qualified to serve as such surveyor, to be appointed by the mayor. The third surveyor shall be an architect or a practical builder, to be appointed by the person or persons thus notified; but if such person neglect or refuse to appoint such surveyor, the other two surveyors may make such survey, and in the case of a disagreement between them, they may appoint a third person to take part in such survey, who shall also be an architect or a builder of at least ten years' experience, or person who, by reason of special experience, is, in their opinion, properly qualified to serve as such surveyor. In case such surveyors or a majority of them shall report that said premises violate or do not comply with any law or ordinance or any lawful order of the commissioner, the report of such surveyors shall be placed before the Supreme Court, at a Special Term thereof, held in the county in which said premises are situated, or in an adjoining county, at a time and place specified in said notice, and a trial upon the allegations and statements contained in said report, be the report of said surveyors more or less than is contained in the said notice of survey, shall be had before said court to determine what measures shall be taken to make such building or premises comply with the provisions of law or the ordinances or the lawful orders of the fire commissioner applicable thereto. The report of said survey, reduced to writing, shall constitute the issue to be placed before the court for trial. A copy of said report of survey shall be posted on the building by one of the persons holding the survey, or by a member of the bureau of fire prevention, immediately after the conclusion of the survey. The surveyor appointed by the mayor and the surveyor appointed by the party notified as hereinbefore provided, or, in case of the failure of the party notified to appoint a surveyor, then the surveyor appointed by the other two surveyors in the case of a disagreement, who may act on any survey, shall each be entitled to receive the sum of twenty-five dollars, to be paid by the comptroller upon the voucher of the

fire commissioner. A cause of action is hereby created for the benefit of the city of New York against the owner or owners of said building, structure, enclosure, vessel, place or premises and of the lot or parcel of land on which the same is situated for the amount so paid with interest, which shall be prosecuted in the name of the city of New York by the corporation counsel. The amount so collected shall be paid over to the comptroller in reimbursement of the amounts paid by him as aforesaid.

“(b) Whenever the report of such survey had as aforesaid shall state that the building, structure, enclosure, vessel, place or premises thus surveyed is unsafe or dangerous, and does not comply with provisions of law or ordinances applicable thereto, or with lawful orders of the commissioner, the commissioner at the time fixed in such notice shall place said notice and report before the Supreme Court at a Special Term thereof, and the court shall proceed without delay to the trial of the issue. The issue shall be tried without adjournment, except such as may be necessary from day to day. The trial of such issue shall have precedence over every other business. The decision of the court upon such a trial shall be a judgment of the Supreme Court which shall be conclusive and final, and not subject to appeal. Upon the rendition of a decision of the court, if it shall find that the said building, structure, enclosure, vessel, place or premises to be unsafe or dangerous or that it does not comply with provisions of law or ordinances applicable thereto, or with the lawful order of the commissioner, the court shall immediately make an order reciting such decision, directed to the commissioner, and commanding him forthwith to repair, alter, secure or take down or remove the building or structure or make the same comply with the provisions of law or ordinances or the lawful order of the commissioner, in accordance with such decision. The commissioner immediately thereupon shall proceed to execute such precept as therein directed, and may employ such labor and assistance and furnish such materials as may be necessary for the purpose; and having done so the commissioner shall make return of the precept, with an indorsement of the action thereunder and of the cost and expenses thereby incurred, to the said court. Thereupon the court shall tax and adjust the amount indorsed upon such order, and shall adjust and allow the disbursements of said proceedings, together with the preliminary expenses of searches and surveys, which costs, expenses and disbursements shall be inserted in the judgment in the proceeding, and the court shall render judgment for such amount, and for the sale of the premises named in the said notice, together with all the right, title and interests that the person or persons or either of them,

to whom the notice of survey was addressed, had at the time of the filing of a notice of the pendency of said proceedings, or at the time of the entry of judgment therein to satisfy the same. Such judgment shall be binding upon, and any conveyance made pursuant to any such judgment shall be effectual to convey the title and interest in said premises of all persons to whom the notice of survey was addressed either by name or by designation as hereinabove provided, and upon all persons having or claiming title to the premises affected thereby through or under a person to whom such notice of survey was addressed as aforesaid by title accruing after the filing of such notice of pendency, or under any instrument recorded subsequent to the filing of such notice. Such judgment shall be enforced in the same manner and with like effect as sales under judgment for the foreclosure of mortgages of real property. In and about all preliminary proceedings and the carrying into effect of any order of the court or any precept issued by the court, the commissioner may make requisition upon the comptroller of the city of New York for such amount or amounts of money as shall be necessary to meet the expenses thereof; and upon the same being approved by any justice of the court from which the said order or precept was issued the comptroller shall pay the same, and for that purpose shall borrow and raise, upon revenue bonds, the several amounts that may from time to time be required, which shall be reimbursed by the payment of the amount and interest at six per centum per annum out of the judgment or judgments obtained as aforesaid, if the same shall be collected. In case the issue shall not be tried at the time specified in said notice, or to which the trial may be adjourned, the same may be brought to trial at any time thereafter by the commissioner, without a new survey, upon not less than three days' notice of trial to the person or persons upon whom the original notice was served, or to his or their attorney; such notice of trial may be served in the same manner as the notice of survey. The notice of pendency of a proceeding under this section shall consist of a copy of the notice of survey, and shall be filed in the office of the county clerk of the county where the property affected by such proceeding is located. Such notice shall be indexed by the county clerk against the premises mentioned therein in the same manner as notices of mechanic's liens are indexed. Immediately upon the issuing of a precept, the owner or owners of the building, structure, enclosure, vessel, place or premises, or any party interested therein, by an application to the commissioner, upon payment of all costs and expenses incurred up to that time, shall be allowed to fulfill the requirements of such order at his, or their own proper cost and expense, provided the same shall be done imme-

diately and in accordance with the requirements of said order. The commissioner shall have authority to modify in writing the requirements of any order, upon application to him therefor, in writing, by the owner or owners, when he shall be satisfied that such exchange shall secure equally well the safety of the said building, structure, vessel, place or premises, and compliance with the law and ordinances applicable thereto, and with the lawful orders of the commissioner.

“(c) In case an order issued by the commissioner is not complied with, or the commissioner certifies in writing that an emergency exists requiring such action, he may order any building, enclosure, vessel, place or premises or part thereof to be vacated. Such order shall be addressed and served in the same manner as hereinabove described for the service of orders. Whenever any order to vacate, served as aforesaid, shall not have been complied with within the time designated therein, the commissioner, in addition to or in lieu of the remedy last above provided or of any other remedy or power, may apply to the Supreme Court at a Special Term thereof, without notice, for an order directing the said commissioner to vacate such building, enclosure, vessel, place or premises or so much thereof as the said commissioner may deem necessary and prohibiting and enjoining all persons from using or occupying the same for any purpose until such measures are taken as may be required by such order. The expenses and disbursements incurred in carrying out such order or orders shall be and become a lien upon the building, enclosure, vessel, place or premises named in said notice, from the time of the filing in the office of the clerk of the county wherein the property affected by such action, suit or proceeding is located, a copy of the said notice together with a notice of the pendency of the action or proceedings for such order, or in which such order is obtained. The Supreme Court, to which application shall be made, is hereby authorized and directed to grant any of the orders above named, and to take such proceedings as shall be necessary to make the same effectual; and is hereby authorized and directed to enforce such lien in the same manner and with the same effect as if the amount thereof were a mechanics’ lien duly claimed under a notice filed as provided by law.

“(d) In case any order or notice mentioned in or given as hereinabove provided shall be served upon or given to any lessee or person in possession or charge of the building, structure, enclosure, vessel, place or premises therein described, if the same shall be known to such person personally, if such owner or agent shall be within the limit of the city and his residence known to such person; and if such owner or agent be not within said city

then by depositing a copy of such order or notice in any post-office in the city properly inclosed and addressed to such owner or agent at his then place of residence, if known, and with the postage thereon prepaid. In case any lessee or person in possession or charge as aforesaid shall neglect to give said notice as herein provided he shall be personally liable to the owner or owners of said building or premises for all damage he or they shall sustain by reason of such neglect.

“§ 4. Nuisances. Any building, enclosure, structure, vessel, place or premises which is perilous to life or property in case of fire therein, by reason of noncompliance with any laws or ordinances, or order of the fire commissioner in respect to the nature or condition of its contents, or its use, or the overcrowding at any time of persons therein, or defects in its construction, or deficiencies in such fire alarm, fire-escape or auxiliary fire extinguishing equipment is a nuisance, within the meaning of this act, the Penal Law and any local code of ordinances.

“§ 5. Bureau of fire prevention. There shall be established in the city of New York, in addition to the present uniformed force, a bureau of fire prevention which, under the direction of the fire commissioner, shall perform the duties and exercise the powers in relation to the prevention of fires and safeguarding life and property from fire devolving upon the fire commissioner pursuant to the provisions of this act or any other laws or ordinances. The commissioner shall appoint an official to take charge of the bureau of fire prevention, to be known as the chief of fire prevention, and such other subordinate officials, inspectors, engineers and other assistants, including clerks and stenographers, as he may deem necessary and shall from time to time be required to perform the duties imposed by law upon such bureau. The salaries of the chief of fire prevention and of all the subordinate officials constituting the bureau of fire prevention shall be fixed by the board of estimate and apportionment subject to the approval of the board of aldermen.

“§ 6. Fire inspection and fire drills. It shall be the duty of the bureau of fire prevention, under the direction of the fire commissioner and as frequently as he shall require, to inspect all buildings in the city of New York and report to the commissioner the existence of any dangerous conditions found therein in respect to cause of fire, means of fire prevention therein and means of exit therefrom, and to organize and carry out fire drills ordered by the fire commissioner or required by law. In all buildings where more than twenty-five persons are employed at any one time on any one floor, unless the fire commissioner shall file in the office of the bureau of fire prevention a written report that a

fire drill is unnecessary, stating the reason therefor, the bureau of fire prevention shall organize and conduct fire drills, subject to and in accordance with the direction of the fire commissioner, at reasonable intervals, but at least once in every three months.

“§ 7. Uniformed fire watchmen. Under regulations prescribed by the fire commissioner, in all retail stores and establishments in the city of New York having more than forty thousand square feet of showrooms or salesrooms on any floor above the ground floor, it shall be the duty of the owner of the business therein carried on, and in all buildings in said city used in whole or in part for manufacturing purposes in which more than three hundred persons are employed above the ground floor, it shall be the duty of the owner thereof to employ and keep on duty during business hours one or more men in uniform, as prescribed by the fire commissioner, whose exclusive duty it shall be to make frequent and regular inspections of the building during working hours, to have charge of all fire apparatus and safety appliances therein and who shall be qualified and ready to act in emergencies to extinguish fire and quell panics.

“§ 8. All provisions of law irreconcilably in conflict herewith are hereby repealed, provided, however, that nothing herein contained shall modify, repeal or affect any of the provisions of the act in relation to tenement-houses, constituting chapter sixty-one of the Consolidated Laws.

“§ 9. This act shall take effect on September first, nineteen hundred and eleven.”

Mr. W. R. Herrick moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|---------|----------|-------------|------------|-----------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Bach | Ebbetts | Herrick J J | Neritt | Stivers |
| Bauvelt | Egan | Herrick W R | Miller | Sullivan |
| Bylan | Evans | Heyman | Mork | Sweet |
| Brace | Farrell | Higgins | Myers | Talmage |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Brennan | Fay | Hinman | Neupert | Teriy |
| Breuten | Fillee | Hoey | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Ward |
| Bush | Fry | Jackson | O'Neil M A | Warren |
| Butler | Geatens | Jameson | Farker A | Waters F A |
| Carew | Gerhardt | Jones | Parker J S | Waters R B |
| Caughlan | Gerken | Keys | Patrie | Weil |
| Cheney | Cillen | Kopp | Phillips C W | Wende |
| Coffey | Goldberg | Lansing | Phillips J S | Wheeler |
| Collin | Coldstein | LaReau | Fierce | White |
| Colné | Goodwin | Levy J | Saunders | Wilson |
| Connell | Gou'd | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Seelev | Yale |
| Cosad | Gregg | Martin | Shannon | Yeomans |
| Cross | Gurnett | McCue | Sheide | Young |
| Cuvillier | Hackett | McDaniels | Shepardson | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

A communication was received June 7th from Hon. Peter C. Foley, mayor of the city of Olean, returning Assembly bill (No. 1024, Int. No. 920), entitled "An act to amend chapter four hundred and seventy-eight of the Laws of eighteen hundred and ninety-three, entitled 'An act to incorporate the city of Olean,' in relation to the territorial limits of said city," with a message that said mayor and the common council of said city, after a public hearing thereon, do not approve said bill and do not accept the same.

Mr. Speaker stated the question to be, "Shall this bill pass notwithstanding the objections of the mayor and the common council, the legislative body, of the city of Olean thereto?", and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------|----------|-------------|------------|-----------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Faumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J J | Merritt | Stivers |

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Heyman | Mork | Sweet |
| Brace | Farrell | Higgins | Myers | Talmage |
| Brennan | Fay | Hinman | Neupert | Terry |
| Brereton | Filley | Hoey | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Ward |
| Bush | Fry | Jackson | O'Neil M A | Warren |
| Butler | Geatons | Jameson | Parker A | Waters F A |
| Carew | Gerhardt | Jones | Parker J S | Waters R B |
| Caughlan | Gerken | Keys | Patrie | Weil |
| Cheney | Gillen | Kopp | Phillips C W | Wende |
| Coffey | Goldberg | Lansing | Phillips J S | Wheeler |
| Collin | Goldstein | LaReau | Pierce | W. ite |
| Colné | Goodwin | Levy J | Saunders | Wilson |
| Connell | Gould | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Seeley | Yale |
| Cosad | Gregg | Martin | Shannon | Yeomans |
| Cross | Gurnett | McCue | Sheide | Young |
| Cuvillier | Hackett | McDaniels | Shepardson | Zorn |
| Dawson | | | | |

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Foley offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed for the use of the Assembly two thousand five hundred additional copies of Assembly bill (Int. No. 1261, Printed No. 1493), entitled "An act constituting the charter of the city of New York," as amended.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Allen | Donnelly | Hammond | McGrath | Shortt |
| Baumes | Donovan | Hart | McKeon | Smith A E |
| Beach | Ebbetts | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Herrick W R | Miller | Sullivan |
| Boylan | Evans | Heyman | Mork | Sweet |
| Brace | Farrell | Higgins | Myers | Talmage |
| Brennan | Fay | Hinman | Neupert | Terry |
| Brereton | Filley | Hoey | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hollmann | O'Connor | Trombly |
| Brooks | Foley | Hoyt | Oliver | Turley |
| Bryant | Friedman | Huber | O'Neill J J | Ward |
| Bush | Fry | Jackson | O'Neil M A | Warren |
| Butler | Geatons | Jameson | Parker A | Waters F A |

| | | | | |
|-------------|-----------|-----------|----------------|------------|
| Carew | Gerhardt | Jones | Parker J S | Waters R B |
| Caughlan | Gerken | Keys | Patrie | Weil |
| Cheney | Gillen | Kopp | Phillips C W | Wende |
| Coffey | Goldberg | Lansing | Phillips J S | Wheeler |
| Collin | Goldstein | LaReau | Pierce | White |
| Colné | Goodwin | Levy J | Saunders | Wilson |
| Connell | Gould | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Seeley | Yale |
| Cosad | Gregg | Martin | Shannon | Yeomans |
| Cross | Gurnett | McCue | Sheide | Young |
| Cuvillier | Hackett | McDaniels | Shepardson | Zora |
| Dawson | | | | |

The Senate returned the bill (No. 2368, Int. No. 1908), entitled "An act making reappropriations of certain unexpended balances of appropriations heretofore made for various State officers, commissions, departments and institutions."

Also, the bill (No. 2042, Int. No. 1521), entitled "An act to amend the General Municipal Law, in relation to legalizing municipal bonds or proceedings for the issuance thereof."

Also, the bill (No. 2373, Int. No. 951), entitled "An act to amend the Code of Civil Procedure, in relation to an action for divorce."

Also, the bill (No. 2171, Int. No. 1750), entitled "An act to make the office of sheriff of Wyoming county a salaried office, and to regulate the management of said office."

Also, the bill (No. 1228, Int. No. 1061), entitled "An act to release to the heirs-at-law of John Elliott all the right, title and interest of the people of the State of New York in and to certain real estate, formerly owned by Matilda Clifton, deceased, in the city of Buffalo," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 1782, Int. No. 1496), entitled "An act to amend chapter fifty-six of the Laws of nineteen hundred and eight, entitled 'An act to authorize the city of Buffalo to issue its bonds in the sum of two million dollars for the purpose of acquiring additional park lands and lands along the water front, and improving the same,' as amended by chapter forty-one of the Laws of nineteen hundred and eleven, relating to the issue of bonds for park purposes," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

Also, the bill (No. 2502, Int. No. 536), entitled "An act to amend the Greater New York charter, in relation to promotions in the police and fire departments."

Also, the bill (No. 1628, Int. No. 1372), entitled "An act to organize and equip a colored regiment of infantry in the city of New York, to become a part of the National Guard of the State of New York," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

The Senate returned the Assembly bill (No. 2252, Senate Reprint No. 2028, Int. No. 1819), entitled "An act in relation to a farm and industrial colony for tramps and vagrants."

Also, Assembly bill (No. 2464, Senate Reprint No. 2042, Int. No. 978), entitled "An act to amend the Banking Law, in relation to powers of trust companies."

Also, Assembly bill (No. 1431, Senate Reprint No. 2040, Int. No. 467), entitled "An act to amend the Forest, Fish and Game Law, in relation to spearing, hooking and set lines."

Also, Assembly bill (No. 2099, Senate Reprint No. 2051, Int. No. 1409), entitled "An act to amend the Labor Law, in relation to protection of employees operating machinery."

Ordered, That the Clerk deliver said bills to the Governor.

Also, Assembly bill (No. 1042, Senate Reprint No. 2077, Int. No. 938), entitled "An act to provide for the investigation, audit and payment by the city of New York of the claim of Joseph Fiesel, Junior, against said city, for plumbing work and material furnished the board of education of Long Island City during the year eighteen hundred and ninety-one."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2562, Int. No. 538), entitled "An act to amend chapter six hundred and forty-six of the Laws of nineteen hundred and five, entitled 'An act to provide for the construction and maintenance of a sanitary trunk sewer and a sanitary outlet sewer in the county of Westchester and to provide means for the payment therefor,' generally," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayors of the cities of Yonkers and Mount Vernon.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 1537, Int. No. 1306), entitled "An act to amend the Forest, Fish and Game Law, in relation to appointment of special game protectors and wardens," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Kopp, by unanimous consent, the fact that he was unavoidably absent from the session of July 12th, and would, if present, have voted aye on Senate bill (No. 22, Rec. No. 109), entitled "Concurrent resolution of the Senate and Assembly ratifying the proposed amendment to the Constitution of the United States relating to taxes on incomes," was ordered spread upon the journal.

On motion of Mr. Drummond, by unanimous consent, the fact that he was unavoidably absent from the session of July 12th, and would, if present, have voted aye on Senate bill (No. 22, Rec. No. 109), entitled "Concurrent resolution of the Senate and Assembly ratifying the proposed amendment to the Constitution of the United States relating to taxes on incomes," was ordered spread upon the journal.

On motion of Mr. A. E. Smith, the House adjourned.

FRIDAY, JULY 14, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. G. Traver, Hartwick Seminary.

On motion of Mr. Oliver, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Frawley (No. 2160, Rec. No. 537), entitled "An act to establish a commission to act jointly with a similar commission of the United States and of the State of New Jersey in the investigation of port conditions and pier extensions, with reference to remedial measures at the port of New York,

and making an appropriation for the expenses of said commission," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Foley gives notice that he requests that the Senate bill introduced by Mr. Stilwell (No. 1114, Int. No. 548), entitled "An act to amend the Greater New York charter, in relation to court-rooms and supplies for the Supreme Court in the city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. F. A. Waters gives notice that he requests that the Senate bill introduced by Mr. Gittins (No. 2163, Rec. No. 539), entitled "An act to amend the Highway Law, in relation to the course and description of route number thirty of the State highway system," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Lansing gives notice that he requests that the Senate bill introduced by Mr. Allen (No. 1895, Int. No. 423), entitled "An act to amend chapter four hundred and sixty-one of the Laws of eighteen hundred and eighty-five, entitled 'An act regulating newspaper advertisements chargeable to the county of Rensselaer,' in relation to designation of newspapers therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Foley gives notice that he requests that the Senate bill introduced by Mr. Bayne (No. 2080, Rec. No. 511), entitled "An act to amend the Code of Civil Procedure, with reference to application for an order," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Oliver gives notice that he requests that the Senate bill introduced by Mr. Frawley (No. 2161, Int. No. 526), entitled "An act providing for the re-establishment of the State library, and making appropriations therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Bush gives notice that he requests that Assembly bill (No. 98, Int. No. 98), entitled "An act relating to Civil War veterans," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Martin gives notice that he requests that Assembly bill (No. 1732, Int. No. 1448), entitled "An act to legalize and validate the proceedings of the village of South Glens Falls, in the adoption of a proposition to authorize the establishment of a sewer system and disposal works, in said village, adopted by the electors thereof, March twenty-first, nineteen hundred and eleven, and to issue bonds of the village for the construction of said sewer system to the amount of forty thousand dollars; and to authorize the said village to construct a sewer system and disposal works in said village at the expense of the village, not to exceed in cost the sum of forty thousand dollars and for making, issuing and selling bonds for the payment of the same, and to provide for the payment of said bonds by tax," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Gould gives notice that he requests that Assembly bill (No. 1277, Int. No. 1101), entitled "An act to provide for the removal of obstructions from a portion of Sawyer's creek in the county of Niagara, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills:

"An act to amend section one hundred of the Insurance Law, extending the time within which certain stocks and bonds mentioned therein and now owned by certain life insurance corporations must be sold" (No. 1482, Rec. No. 552), which was read the first time and referred to the committee on insurance.

"An act to amend the Tax Law, in relation to taxable transfers" (No. 2097, Rec. No. 553), which was read the first time and referred to the committee on taxation and retrenchment.

By unanimous consent, Mr. A. J. Levy introduced a bill entitled "An act to amend the Election Law, in relation to registration and the organization of boards of elections."

On motion of Mr. A. J. Levy, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on the judiciary.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Stilwell (No. 1114, Rec. No. 548), entitled "An act to amend the Greater New York charter, in relation to courtrooms and supplies for the Supreme Court in the city of New York."

Also, Senate bill introduced by Mr. Frawley (No. 2160, Rec. No. 537), entitled "An act to establish a commission to act jointly with a similar commission of the United States and of the State of New Jersey in the investigation of port conditions and pier extensions, with reference to remedial measures at the port of New York, and making an appropriation for the expense of said commission."

Also, Senate bill introduced by Mr. Allen (No. 1895, Rec. No. 423), entitled "An act to amend chapter four hundred and sixty-one of the Laws of eighteen hundred and eighty-five, entitled 'An act regulating newspaper advertisements chargeable to the county of Rensselaer,' in relation to designation of newspapers therefor."

Also, Senate bill introduced by Mr. Gittins (No. 2103, Rec. No. 539), entitled "An act to amend the Highway Law, in relation to the course and description of route number thirty of the State highway system."

Also, Senate bill introduced by Mr. Bayne (No. 2080, Rec. No. 511), entitled "An act to amend the Code of Civil Procedure, with reference to applications for an order."

Also, Senate bill introduced by Mr. Frawley (No. 2161, Rec. No. 526), entitled "An act providing for the re-establishment of the State library, and making appropriations therefor," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Martin (No. 1732, Int. No. 1448), entitled "An act to legalize and validate the proceedings of the village of South Glens Falls, in the adoption of a proposition to authorize the establishment of a sewer system and disposal works, in said village, adopted by the electors thereof, March twenty-first, nineteen hundred and eleven, and to issue bonds of the village for the construction of said system to the amount of forty thousand dollars; and to authorize the said village to construct a sewer system and disposal works in said village at the expense of the village, not to exceed in cost the sum of forty thousand dollars, and for making, issuing and selling bonds for the payment of the same, and to provide for the payment of said bonds by tax."

Also, Assembly bill introduced by Mr. Gould (No. 1277, Int. No. 1101), entitled "An act to provide for the removal of obstructions from a portion of Sawyer's creek in the county of Niagara, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Bush (No. 98, Int. No. 98), entitled "An act relating to Civil War veterans," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Neupert, from the committee on printed and engrossed

bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Tax Law, relative to the making of special franchise valuations by the State Board of Tax Commissioners." (No. 2586, Int. No. 1007.)

"An act to amend the Public Health Law, in relation to the licensing of undertakers and the compensation of members and officers of the State Board of Embalming Examiners." (No. 2579, Int. No. 1371.)

"An act to amend the Railroad Law, in relation to the revocation of the appointment of conductors and brakemen as policemen." (No. 2576, Int. No. 901.)

"An act to incorporate the Federal Council of the Churches of Christ in America." (No. 1436, Int. No. 1214.)

"An act to provide for the construction of a bridge by the State over a portion of the Oswego river at Phoenix, in the county of Oswego, and making an appropriation therefor." (No. 2577, Int. No. 1797.)

"An act to amend the General Municipal Law, in relation to submitting to the electors of a city, village or town a proposition to permit the playing of baseball therein on Sunday." (No. 1511, Int. No. 1281.)

"An act to amend the Penal Law, in relation to penalties for violations of the Labor Law." (No. 2584, Rec. No. 302.)

On motion of Mr. Cheney, the committee on rules was instructed to report Assembly bill (No. 828, Int. No. 756), entitled "An act to amend the Olean city charter, generally," with the following amendments:

Page 1, line 10, strike out the bracket.

Page 2, line 5, strike out the bracket and the italicized matter.

Page 2, line 6, strike out the italicized matter.

Page 3, line 5, strike out the brackets and the italicized matter.

Page 8, line 20, strike out the bracket.

Page 9, line 14, strike out the bracket and the italicized matter.

Page 9, strike out lines 15 to 21, inclusive.

Page 9, line 22, strike out the italicized matter.

Mr. Speaker, from the committee on rules, reported said bill amended as directed.

On motion of Mr. Cheney, said bill was ordered reprinted, as amended, and recommitted to said committee.

On motion of Mr. Lansing, the committee on rules was instructed to report Assembly bill (No. 2585, Int. No. 331), entitled "An act to amend the Penal Law, in relation to the sale and possession of weapons and explosives, and to impose taxes in respect thereto," with the following amendments:

Page 1, line 2, strike out the word "eighteen" and insert in place thereof the word "nineteen" and strike out the word "ninety-nine" and insert in place thereof the word "fourteen".

Page 3, line 26, beginning with the word "section" strike out the rest of the line, and insert in place thereof the words "such chapter is hereby amended to read as follows:"

Page 4, line 1, beginning with the word "eight" strike out the rest of the line down to and including the word "follows" on line 3.

Mr. Speaker, from the committee on rules, reported said bill amended as directed.

On motion of Mr. Lansing, said bill was ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker announced the special order, being the Senate bill (No. 1114, Rec. No. 548), entitled "An act to amend the Greater New York charter, in relation to courtrooms and supplies for the Supreme Court in the city of New York."

On motion of Mr. Foley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 100

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------|-----------|----------|------------|------------|
| Adler | Cross | Graubard | Manley | Seeley |
| Allen | Cuvillier | Gregg | McCue | Shepardson |
| Beach | Dawson | Gurnett | McDaniels | Shlivek |
| Boylan | Day | Haines | McElligott | Shortt |

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Brennan | DeLano | Hart | McGrath | Stivers |
| Brereton | Donnelly | Hearn | McKeon | Sweet |
| Bridenbecker | Donovan | Herrick J J | Merritt | Talmage |
| Brooks | Drummond | Herrick W R | Miller | Terry |
| Brown | Egan | Hinman | Myers | Thorn |
| Bryant | Evans | Hoff | Neupert | Trombly |
| Bush | Farrell | Huber | Nolan | Turley |
| Butler | Fay | Jackson | Oliver | Walker |
| Carew | Filley | Jameson | O'Neill J J | Waters F A |
| Caughlan | Fitzpatrick | Jones | Parker A | Waters R B |
| Cheney | Geatons | Kennedy | Parker J S | Weil |
| Coffey | Gerhardt | Lausing | Patrie | Wende |
| Collin | Goldstein | LaReau | Phillips C W | Wilson |
| Connell | Goodman | Lent | Pierce | Winters |
| Constantine | Goodwin | Levy A J | Saunders | Yeomans |
| Cosad | Gould | Macdonald | Schifferdecker | Zorn |

Ordered, That the Clerk return said bill to the Senate, with message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2160, Rec. No. 537), entitled "An act to establish a commission to act jointly with a similar commission of the United States and of the State of New Jersey in the investigation of port conditions and pier extensions, with reference to remedial measures at the port of New York, and making an appropriation for the expenses of said commission."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 100

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|-------------|------------|------------|
| Adler | Cross | Graubard | Manley | Seeley |
| Allen | Cuvillier | Gregg | McCue | Shepardson |
| Beach | Dawson | Gurnett | McDaniels | Shlivek |
| Boylan | Day | Haines | McElligott | Shortt |
| Brennan | DeLano | Hart | McGrath | Stivers |
| Brereton | Donnelly | Hearn | McKeon | Sweet |
| Bridenbecker | Donovan | Herrick J J | Merritt | Talmage |
| Brooks | Drummond | Herrick W R | Miller | Terry |

| | | | | |
|-------------|-------------|-----------|----------------|------------|
| Brown | Egan | Hinman | Myers | Thorn |
| Bryant | Evans | Hoff | Neupert | Trombly |
| Bush | Farrell | Huber | Nolan | Turley |
| Butler | Fay | Jackson | Oliver | Walker |
| Carew | Filley | Jameson | O'Neill J J | Waters F A |
| Caughlan | Fitzpatrick | Jones | Parker A | Waters R B |
| Cheney | Geatons | Kennedy | Parker J S | Weil |
| Coffey | Gerhardt | Lansing | Patrie | Wende |
| Collin | Goldstein | LaReau | Phillips C W | Wilson |
| Connell | Goodman | Lent | Pierce | Winters |
| Constantine | Goodwin | Levy A J | Saunders | Yeomans |
| Cosad | Gould | Macdonald | Schifferdecker | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1895, Rec. No. 423), entitled "An act to amend chapter four hundred and sixty-one of the Laws of eighteen hundred and eighty-five, entitled 'An act regulating newspaper advertisements chargeable to the county of Rensselaer,' in relation to designation of newspapers therefor."

On motion of Mr. Lansing, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 100

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|------------|
| Adler | Cross | Graubard | Manley | Seeley |
| Allen | Cuvillier | Gregg | McCue | Shepardson |
| Beach | Dawson | Gurnett | McDaniels | Shlivel |
| Boylan | Day | Haines | McElligott | Shortt |
| Brennan | DeLano | Hart | McGrath | Stivers |
| Brereton | Donnelly | Hearn | McKeon | Sweet |
| Bridenbecker | Donovan | Herrick J J | Merritt | Talmage |
| Brooks | Drummond | Herrick W R | Miller | Terry |
| Brown | Egan | Hinman | Myers | Thorn |
| Bryant | Evans | Hoff | Neupert | Trombly |
| Bush | Farrell | Huber | Nolan | Turley |
| Butler | Fay | Jackson | Oliver | Walker |
| Carew | Filley | Jameson | O'Neill J J | Waters F A |
| Caughlan | Fitzpatrick | Jones | Parker A | Waters R B |

| | | | | |
|-------------|-----------|-----------|----------------|---------|
| Cheney | Geatons | Kennedy | Parker J S | Weil |
| Coffey | Gerhardt | Lansing | Patrie | Wende |
| Collin | Goldstein | LaReau | Phillips C W | Wilson |
| Connell | Goodman | Lent | Pierce | Winters |
| Constantine | Goodwin | Levy A J | Saunders | Yeomans |
| Cosad | Gould | Macdonald | Schifferdecker | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2103, Rec. No. 539), entitled "An act to amend the Highway Law, in relation to the course and description of route number thirty of the State highway system."

On motion of Mr. F. A. Waters, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 100

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cosad | Graubard | Manley | Seeley |
| Allen | Cross | Gregg | McCue | Shepardson |
| Beach | Cuvillier | Gurnett | McDaniels | Shlivek |
| Blauvelt | Dawson | Haines | McElligott | Shortt |
| Boylan | Day | Hart | McGrath | Stivers |
| Brennan | DeLano | Hearn | McKeon | Sweet |
| Brereton | Donnelly | Herrick J J | Merritt | Talmage |
| Bridenbecker | Donovan | Herrick W R | Miller | Terry |
| Brooks | Drummond | Hinman | Myers | Thorn |
| Brown | Egan | Hoff | Neupert | Trombly |
| Bryant | Evans | Huber | Nolan | Turley |
| Bush | Farrell | Jackson | Oliver | Walker |
| Butler | Fay | Jameson | O'Neill J J | Waters F A |
| Carew | Filley | Jones | Parker A | Waters R B |
| Caughlan | Fitzpatrick | Kennedy | Parker J S | Weil |
| Cheney | Geatons | Lansing | Patrie | Wende |
| Coffey | Gerhardt | LaReau | Phillips C W | Wilson |
| Collin | Goodman | Lent | Pierce | Winters |
| Connell | Goodwin | Levy A J | Saunders | Yeomans |
| Constantine | Gould | Macdonald | Schifferdecker | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2080, Rec. No. 511), entitled "An act to amend the Code of Civil Procedure, with reference to applications for an order."

Said bill having been announced for a second reading,

On motion of Mr. Oliver, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Tuesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 2161, Rec. No. 526), entitled "An act to provide for the re-establishment of the State library, and making appropriations therefor."

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 100

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cosad | Graubard | Manley | Seeley |
| Allen | Cross | Gregg | McCue | Shepardson |
| Beach | Cuvillier | Gurnett | McDaniels | Shlivek |
| Blauve't | Dawson | Haines | McElligott | Shortt |
| Boylan | Day | Hart | McGrath | Stivers |
| Brennan | DeLano | Hearn | McKeon | Sweet |
| Brereton | Donnelly | Herrick J J | Merritt | Talmage |
| Bridenbecker | Donovan | Herrick W R | Miller | Terry |
| Brooks | Drummond | Hinman | Myers | Thorn |
| Brown | Egan | Hoff | Neupert | Trombly |
| Bryant | Evans | Huber | Nolan | Turley |
| Bush | Farrell | Jackson | Oliver | Walker |
| Butler | Fay | Jameson | O'Neill J J | Waters F A |
| Carew | Fillely | Jones | Parker A | Waters R B |
| Caughlan | Fitzpatrick | Kennedy | Parker J S | Weil |
| Cheney | Geatons | Lansing | Patrie | Wende |
| Coffey | Gerhardt | LaReau | Phillips C W | Wilson |
| Collin | Goodman | Lent | Pierce | Winters |
| Connell | Goodwin | Levy A J | Saunders | Yeomans |
| Constantine | Gould | Macdonald | Schifferdecker | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1277, Int. No. 1101), entitled "An act to provide for the removal of obstructions from a portion of Sawyer's creek in the county of Niagara, and making an appropriation therefor."

On motion of Mr. Gould, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 100

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cosad | Graubard | Manley | Seeley |
| Allen | Cross | Gregg | McCue | Shepardson |
| Beach | Cuvillier | Gurnett | McDaniels | Shlivek |
| Blauvelt | Dawson | Haines | McElligott | Shortt |
| Boylan | Day | Hart | McGrath | Stivers |
| Brennan | DeLano | Hearn | McKeon | Sweet |
| Brereton | Donnelly | Herrick J J | Merritt | Talmage |
| Bridenbecker | Donovan | Herrick W R | Miller | Terry |
| Brooks | Drummond | Hinman | Myers | Thorn |
| Brown | Egan | Hoff | Neupert | Trombly |
| Bryant | Evans | Huber | Nolan | Turley |
| Bush | Farrell | Jackson | Oliver | Walker |
| Butler | Fay | Jameson | O'Neill J J | Waters F A |
| Carew | Filley | Jones | Parker A | Waters R B |
| Caughlan | Fitzpatrick | Kennedy | Parker J S | Weil |
| Cheney | Geatons | Lansing | Patrie | Wende |
| Coffey | Gerhardt | LaReau | Phillips C W | Wilson |
| Collin | Goodman | Lent | Pierce | Winters |
| Connell | Goodwin | Levy A J | Saunders | Yeomans |
| Constantine | Gould | Macdonald | Schifferdecker | Zorn |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 98, Int. No. 98), entitled "An act relating to Civil War veterans."

On motion of Mr. Bush, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 100

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cosad | Graubard | Manley | Seeley |
| Allen | Cross | Gregg | McCue | Shepardson |
| Beach | Cuvillier | Gurnett | McDaniels | Shlivek |
| Blauvelt | Dawson | Haines | McElligott | Shortt |
| Boylan | Day | Hart | McGrath | Stivers |
| Brennan | DeLano | Hearn | McKeon | Sweet |
| Brereton | Donnelly | Herrick J J | Merritt | Talmage |
| Bridenbecker | Donovan | Herrick W R | Miller | Terry |
| Brooks | Drummond | Hinman | Myers | Thorn |
| Brown | Egan | Hoff | Neupert | Trombly |
| Bryant | Evans | Huber | Nolan | Turley |
| Bush | Fairrell | Jackson | Oliver | Walker |
| Butler | Fay | Jameson | O'Neill J J | Waters F A |
| Carew | Filley | Jones | Parker A | Waters R B |
| Caughlan | Fitzpatrick | Kennedy | Parker J S | Weil |
| Cheney | Geatons | Lansing | Patrie | Wende |
| Coffey | Gerhardt | LaReau | Phillips C W | Wilson |
| Collin | Goodman | Lent | Pierce | Winters |
| Connell | Goodwin | Levy A J | Saunders | Yeomans |
| Constantine | Gould | Macdonald | Schifferdecker | Zorn |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1732, Int. No. 1448), entitled "An act to legalize and validate the proceedings of the village of South Glens Falls, in the adoption of a proposition to authorize the establishment of a sewer system and disposal works, in said village, adopted by the electors thereof, March twenty-first, nineteen hundred and eleven, and to issue bonds to the village for the construction of said sewer system to the amount of forty thousand dollars; and to authorize the said village to construct a sewer system and disposal works in said village at the expense of the village, not to exceed in cost the sum of forty thousand dollars and for making, issuing and selling bonds for the payment of the same, and to provide for the payment of said bonds by tax."

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cross | Graubard | Manley | Seeley |
| Allen | Cuvillier | Gregg | McCue | Shepardson |
| Beach | Dawson | Gurnett | McDaniels | Shlivek |
| Blauvelt | Day | Haines | McElligott | Shortt |
| Boylan | DeLano | Hart | McGrath | Stivers |
| Brennan | Donnelly | Hearn | McKeon | Sweet |
| Brereton | Donovan | Herrick J J | Merritt | Talmage |
| Bridenbecker | Drummond | Herrick W R | Miller | Terry |
| Brooks | Egan | Hinman | Myers | Thorn |
| Brown | Evans | Hoff | Neupert | Trombly |
| Bryant | Farrell | Huber | Nolan | Turley |
| Bush | Fay | Jackson | Oliver | Walker |
| Butler | Filley | Jameson | O'Neill J J | Waters F A |
| Carew | Fitzpatrick | Jones | Parker A | Waters R B |
| Caughlan | Geatons | Kennedy | Parker J S | Weil |
| Cheney | Gerhardt | Lansing | Patrie | Wende |
| Coffey | Goldstein | LaReau | Phillips C W | Wilson |
| Collin | Goodman | Lent | Pierce | Winters |
| Connell | Goodwin | Levy A J | Saunders | Yeomans |
| Constantine | Gould | Macdonald | Schifferdecker | Zorn |
| Cosad | | | | |

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2578, Int. No. 1248) entitled "An act to consolidate and revise the laws relating to the city of Lockport," having been announced for a third reading,

On motion of Mr. Merritt, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

Mr. Miller offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1431, Senate Reprint No. 2040, Int. No. 467), entitled "An act to amend the Forest, Fish and Game Law, in relation to spearing, hooking and set lines," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Evans offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2227, Int. No. 1798), entitled "An act to amend the Highway Law, in relation to State aid for towns in the building of highways," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *July 14, 1911.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 926, Rec. No. 155), entitled "An act to amend the Tax Law, in relation to the compensation of recording officers for services in the collection of the recording tax on mortgages," for the purpose of amendment.

By order of the Senate,

PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the Assembly bill (No. 2497, Senate Reprint No. 1989, Int. No. 1585), entitled "An act to create a bureau of fire prevention and provide for additional protection to life and property from fire in the city of New York."

Also, Assembly bill (No. 2480, Senate Reprint No. 2141, Int. No. 712), entitled "An act to authorize the board of assessors of the city of New York to determine and allow the damage sus-

tained by owners of real property in the borough of Manhattan, city of New York, by reason of the construction of lateral drive-ways to connect the grade of One Hundred and Forty-fifth street with the grade of Riverside drive."

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

Also, Assembly bill (No. 2075, Senate Reprint No. 2003, Int. No. 1687), entitled "An act to provide for the purchase of a plot of land, or the obtaining of a grant or the privilege of a plot of land or a site on the battlefield of Antietam, and for the erection of a monument in commemoration of the soldiers of the Fourteenth Regiment, New York State Militia, Infantry, known upon the rolls of the United States army during the late Civil War as the Eighty-fourth New York Volunteers, Infantry, who were engaged in the battle of Antietam, Maryland, September sixteenth and seventeenth, eighteen hundred and sixty-two, and making an appropriation therefor; and amendatory of chapter five hundred and thirteen of the Laws of nineteen hundred and ten, making appropriation for a suitable site on the battlefield of Antietam, Maryland, and the erection thereon of a monument in commemoration of the services, et cetera, of the Fourteenth Regiment of the New York State Militia, Infantry."

Also, Assembly bill (No. 1877, Senate Reprint No. 2157, Int. No. 1550), entitled "An act making appropriations for the New York State Training School for Boys."

Also, Assembly bill (No. 1878, Senate Reprint No. 2162, Int. No. 1551), entitled "An act making appropriations for Letchworth Village."

Ordered, That the Clerk deliver said bills to the Governor.

Also, the bill (No. 2105, Int. No. 542), entitled "An act making an appropriation for highway improvement in expediting the building of State route number thirty-three and certain portions of State routes twenty-seven, twenty-eight and thirty," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Senate bill (No. 1351, Assembly Reprint No. 2563, Rec. No. 255), entitled "An act to authorize the

electors of the village of Peekskill to vote upon a proposition for the construction of a building to be used as a jail, police court and police headquarters, and to acquire necessary lands, and to issue bonds for such purpose."

Also, Senate bill (No. 1813, Assembly Reprint No. 2558, Rec. No. 441), entitled "An act to amend the Forest, Fish and Game Law, in relation to taking quail in Dutchess, Westchester, Putnam, Rockland and Ulster counties," with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the bill (No. 2547, Int. No. 1325), entitled "An act to repeal chapter seven hundred and sixty-five of the Laws of nineteen hundred, entitled 'An act providing for the opening, laying out and improving of Remsen avenue, in the borough of Brooklyn, in the city of New York.'"

Also, the bill (No. 2384, Int. No. 1344), entitled "An act to amend the Greater New York charter, in relation to the making of eligible lists of candidates for appointment on the teaching staff."

Also, the bill (No. 1495, Int. No. 1262), entitled "An act in relation to the retirement of justices of the municipal court of the city of New York, their appointment as official referees and their compensation as such," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2091, Int. No. 31), entitled "An act to amend the Penal Law, in relation to certain railroad employees."

Also, the bill (No. 1090, Int. No. 981), entitled "An act to amend the Code of Civil Procedure, in relation to satisfaction of judgment in action on attachment."

Also, the bill (No. 2548, Int. No. 1895), entitled "An act modifying the powers of the Commission in Lunacy, boards of managers and officers of the State hospitals," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 2553, Int. No. 1792), enti-

tled "An act to amend chapter one hundred and sixteen of the Laws of eighteen hundred and ninety-seven, entitled 'An act to make the office of county clerk of Washington county a salaried office, and regulating the management of said office,' and the acts amendatory thereof."

Also, the bill (No. 2577, Int. No. 1797), entitled "An act to provide for the construction of a bridge by the State over a portion of the Oswego river at Phoenix, in the county of Oswego, and making an appropriation therefor."

Also, the bill (No. 2424, Int. No. 1036), entitled "An act to amend the Insurance Law, in relation to the taxes to be paid by foreign insurance corporations, by providing that the tax to be paid by such corporations shall be upon the premiums received from the business arising and done in this State," with a message that they have reconsidered their vote by which said bills passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bills to the Governor.

Also, the bill (No. 2511, Int. No. 524), entitled "An act to amend the Education Law, in relation to court libraries," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2574, Int. No. 1048), entitled "An act to provide for the construction of a bridge over the barge canal at the city of Fulton, and making an appropriation therefor," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1431, Senate Reprint No. 2040, Int. No. 467), entitled "An act to amend the Forest, Fish and Game Law, in relation to spearing, hooking and set lines," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

On motion of Mr. Oliver, the House adjourned until Saturday, July 15th, at 10 o'clock A. M.

SATURDAY, JULY 15, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. Bush, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to authorize the audit and payment of certain claims by the county of Rensselaer" (No. 2101, Rec. No. 554), which was read the first time and referred to the committee on internal affairs.

"An act to amend the County Law, in relation to the salary of the county judge of Franklin county" (No. 2131, Rec. No. 555), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Forest, Fish and Game Law, in relation to the taking of carp with nets in the Hudson river" (No. 2063, Rec. No. 556), which was read the first time and referred to the committee on forestry, fisheries and game.

"An act to amend section eight hundred and thirty of the Code of Civil Procedure, in relation to the testimony of a party or a witness since deceased or insane or who, being a nonresident, has departed from the State" (No. 2079, Rec. No. 557), which was read the first time and referred to the committee on codes.

"An act to amend the Tax Law, in relation to taxable transfers" (No. 1793, Rec. No. 558), which was read the first time and referred to the committee on taxation and retrenchment.

"An act making an appropriation to expedite the building of certain portions of State route number four" (No. 2128, Rec. No. 559), which was read the first time and referred to the committee on ways and means.

"An act to amend the Judiciary Law, in relation to the appointment and compensation of official referees by the Appellate Division of the Supreme Court in the first department" (No. 2081, Rec. No. 560), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Education Law, relative to the acquisition

of sites for schoolhouses" (No. 1769, Rec. No. 561), which was read the first time and referred to the committee on public education.

"An act authorizing the city of Buffalo to purchase land outside the limits of said city to be used as a nursery for raising trees and shrubbery for the park department of said city, and for planting trees in the streets of said city" (No. 2106, Rec. No. 562), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Code of Civil Procedure, in relation to actions and proceedings by and against foreign executors and administrators" (No. 1766, Rec. No. 563), which was read the first time and referred to the committee on codes.

"An act authorizing the Board of Statutory Consolidation to examine and report a plan for the classification, consolidation and simplification of the civil practice in the courts of this State" (No. 1140, Rec. No. 564), which was read the first time and referred to the committee on ways and means.

"Concurrent resolution of the Senate and Assembly, proposing an amendment to section six of article one of the Constitution, in relation to the deprivation of property without due process of law" (No. 1158, Rec. No. 565), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Railroad Law, in relation to judicial proceedings for the acquisition at an appraised valuation by a railroad corporation of the minority stock of another corporation in certain cases where the public interest is involved" (No. 1653, Rec. No. 566), which was read the first time and referred to the committee on railroads.

"An act to legalize, ratify and confirm all the proceedings of the village of White Plains and of its officers and agents and the qualified voters thereof, relative to the issue of bonds of the said village in the amount of nine thousand five hundred dollars, for purchasing apparatus for its fire department and to pay for completion of firehouses in said village, providing for the payment of interest and principal thereof and authorizing the resale of such bonds in case of certain conditions" (No. 2170, Rec. No. 567), which was read the first time and referred to the committee on affairs of villages.

"An act to amend the Penal Law, in relation to the equipment and use of motor boats" (No. 1791, Rec. No. 568), which was read the first time and referred to the committee on codes.

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of Claude B. Mayham, as executor of the last will and testament of Stephen L. Mayham, deceased, against the State of New York, and to render judgment therefor" (No. 2105, Rec. No. 569), which was read the first time and referred to the committee on the judiciary.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *July 15, 1911.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 1430, Rec. No. 291), entitled "An act to amend chapter twenty-four of the Laws of nineteen hundred and nine, entitled 'An act relating to the protection of the forests, fish and game of the State, constituting chapter nineteen of the Consolidated Laws,'" for the purpose of amendment.

By order of the Senate,

PATRICK E. McCABE,

Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. Bush, the House adjourned.

MONDAY, JULY 17, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. A. E. Smith, the reading of the journal of Saturday, July 15th, was dispensed with and the same was approved.

Mr. Foley gives notice that he requests that Assembly bill (No. 2581, Int. No. 1786), entitled "An act to amend chapter five

hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' generally," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Merritt gives notice that he requests that the Senate bill introduced by Mr. Coats (No. 2132, Rec. No. 531), entitled "An act for the relief of the towns in the county of Franklin," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Donnelly gives notice that he requests that the Senate bill introduced by Mr. Sanmer (No. 2031, Rec. No. 546), entitled "An act to amend chapter seven hundred and six of the Laws of nineteen hundred and one, entitled 'An act to make the office of register of the county of Kings a salaried office and regulating the management of said office,' as amended by chapter six hundred and ninety-nine of the Laws of nineteen hundred and four, and chapter four hundred and ninety-six of the Laws of nineteen hundred and six, relating to additional assistants, clerks, employees or subordinates in said office, and fixing salaries of assistants, clerks, employees or subordinates in said office," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Jackson gives notice that he requests that the Senate bill introduced by Mr. Ramsperger (No. 2164, Rec. No. 544), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-two, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter one hundred and sixty-one of the Laws of eighteen hundred and ninety-seven, relating to the firemen's relief and pension fund," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Cuvillier gives notice that he requests that the Senate bill introduced by Mr. Duhamel (No. 2072, Rec. No. 532), entitled "An act to amend the General City Law, in relation to license to operate moving picture apparatus," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. J. Levy gives notice that he requests that the Senate bill introduced by Mr. Bayne (No. 1457, Rec. No. 217), entitled "An act to amend the Insanity Law, constituting chapter twenty-seven of the Consolidated Laws, by abolishing the office of purchasing steward in certain of the State hospitals," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Manley gives notice that he requests that the Senate bill introduced by Mr. Ferris (No. 1548, Rec. No. 355), entitled "An act to provide for the construction of a new bridge over the Black River canal at East Dominick street in the city of Rome, and making appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Sheide gives notice that he requests that the Senate bill introduced by Mr. Long (No. 1997, Rec. No. 497), entitled "An act to amend chapter four hundred and forty-one of the Laws of eighteen hundred and ninety-nine, entitled 'An act to create a commissioner of jurors in the several counties of this State,' in relation to Nassau county," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Jackson gives notice that he requests that the Senate bill introduced by Mr. Gittins (No. 1706, Rec. No. 430), entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' generally," a copy of which is hereto annexed, be made a special order, and asks that

his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Zorn gives notice that he requests that the Senate bill introduced by Mr. Harte (No. 1684, Rec. No. 363), entitled "An act to amend the Education Law, in relation to the establishment of training schools in agriculture and related subjects, and providing for their organization, equipment, maintenance, operations, control and State aid," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Foley gives notice that he requests that the Senate bill introduced by Mr. Pollock (No. 2053, Rec. No. 543), entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to the temporary commitment of children for purposes of examination," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Gould gives notice that he requests that the Senate bill introduced by Mr. Gittins (No. 2074, Rec. No. 538), entitled "An act for the control and regulation of the waters of the Niagara river," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Myers gives notice that he requests that the Senate bill introduced by Mr. White (No. 1362, Rec. No. 390), entitled "An act to amend the Education Law, in relation to a State school of agriculture at Cobleskill, Schoharie county, and providing for the purchase of a site and the erection of buildings, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills:

"An act to provide a charter for the city of Buffalo" (No. 2175, Rec. No. 570), which was read the first time and referred to the committee on affairs of cities.

"An act to consolidate and revise the laws relating to the city of Lockport" (No. 2177, Rec. No. 571), which was read the first time and referred to the committee on affairs of cities.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Foley (No. 2581, Int. No. 1786), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' generally," reported in favor of the passage of the same without amendment, and that the same be made a special order on second and third reading immediately after consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bill ordered made a special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Coats (No. 2132, Rec. No. 531), entitled "An act for the relief of the towns in the county of Franklin."

Also, Senate bill introduced by Mr. Sanner (No. 2031, Rec. No. 546), entitled "An act to amend chapter seven hundred and six of the Laws of nineteen hundred and one, entitled 'An act to make the office of register of the county of Kings a salaried office and regulating the management of said office,' as amended by chapter six hundred and ninety-nine of the Laws of nineteen hundred and four, and chapter four hundred and ninety-six of the Laws of nineteen hundred and six, relating to additional assistants, clerks, employees or subordinates in said office, and fixing salaries of assistants, clerks, employees or subordinates in said office."

Also, Senate bill introduced by Mr. Duhamel (No. 2072, Rec. No. 532), entitled "An act to amend the General City Law, in relation to license to operate moving picture apparatus."

Also, Senate bill introduced by Mr. Ramsperger (No. 2164, Rec. No. 544), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-two, entitled 'An act to revise the charter of the city of Buffalo,' as amended

by chapter one hundred and sixty-one of the Laws of eighteen hundred and ninety-seven, relating to the firemen's relief and pension fund."

Also, Senate bill introduced by Mr. Ferris (No. 1548, Rec. No. 355), entitled "An act to provide for the construction of a new bridge over the Black River canal at East Dominick street in the city of Rome, and making appropriation therefor."

Also, Senate bill introduced by Mr. Bayne (No. 1457, Rec. No. 217), entitled "An act to amend the Insanity Law, constituting chapter twenty-seven of the Consolidated Laws, by abolishing the office of purchasing steward in certain of the State hospitals."

Also, Senate bill introduced by Mr. Gittins (No. 1706, Rec. No. 430), entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' generally."

Also, Senate bill introduced by Mr. Long (No. 1997, Rec. No. 497), entitled "An act to amend chapter four hundred and forty-one of the Laws of eighteen hundred and ninety-nine, entitled 'An act to create a commissioner of jurors in the several counties of this State,' in relation to Nassau county."

Also, Senate bill introduced by Mr. Pollock (No. 2053, Rec. No. 543), entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to the temporary commitment of children for purposes of examination."

Also, Senate bill introduced by Mr. Harte (No. 1684, Rec. No. 363), entitled "An act to amend the Education Law, in relation to the establishment of training schools in agriculture and related subjects, and providing for their organization, equipment, maintenance, operations, control and State aid."

Also, Senate bill introduced by Mr. White (No. 1362, Rec. No. 390), entitled "An act to amend the Education Law, in relation to a State school of agriculture at Cobleskill, Schoharie county, and providing for the purchase of a site and the erection of buildings and making an appropriation therefor."

Also, Senate bill introduced by Mr. Gittins (No. 2074, Rec. No. 538), entitled "An act for the control and regulation of the waters of the Niagara river," reported in favor of the passage of

the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

“An act to amend section thirty-seven of chapter four of the Laws of eighteen hundred and ninety-one, entitled ‘An act to provide for rapid transit railways in cities of over one million inhabitants,’ as heretofore amended, with reference to assessment of costs and expense necessary to be incurred for the construction of a rapid transit railroad and for property to be acquired for the construction and operation thereof, upon property benefited thereby.” (No. 2587, Int. No. 1514.)

“An act to amend the Tax Law, in relation to the appointment of a transfer tax clerk in Nassau county.” (No. 2583, Rec. No. 365.)

“An act to amend the General Municipal Law, in relation to the acquisition of water rights in Westchester and Putnam counties.” (No. 2580, Rec. No. 505.)

“An act to amend the General Business Law, constituting chapter twenty of the Consolidated Laws, in relation to the operation of the cinematograph or any other apparatus for projecting moving pictures.” (No. 2569, Rec. No. 432.)

“An act to provide for the removal of obstructions from a portion of Sawyer’s creek in the county of Niagara, and making an appropriation therefor.” (No. 1277, Int. No. 1101.)

“An act relating to Civil War veterans.” (No. 98, Int. No. 98.)

“An act to amend the General Municipal Law, in relation to submitting to the electors of a city, village or town a proposition to permit the playing of baseball therein on Sunday.” (No. 1511, Int. No. 1281.)

“An act to amend the Labor Law, in relation to the organization,

powers and duties of the Department of Labor." (No. 2590, Int. No. 1411.)

"An act to amend the Public Health Law, in relation to the use of common drinking cups." (No. 2591, Int. No. 696.)

"An act to amend the Greater New York charter, in relation to creating a board of trustees of home assistance in the city of New York for dependent widows with children and dependent members of families of consumptives." (No. 2068, Int. No. 1680.)

"An act to amend the Judiciary Law, in relation to the compensation of attendants of Appellate Division in the fourth department." (No. 2017, Int. No. 1656.)

"An act to amend the Judiciary Law, constituting chapter thirty-five of the Consolidated Laws, relating to the designation by clerks of certain counties of assistants to prepare the court calendars." (No. 2203, Int. No. 1778.)

"An act to amend the Inferior Criminal Courts Act of the city of New York." (No. 2538, Int. No. 1838.)

"An act to amend the Greater New York charter, in relation to establishing temporary shelters on the water front for sleeping accommodation of women and children during the summer months." (No. 662, Int. No. 627.)

"An act to amend the Penal Law, in relation to false or misleading advertisements or statements as to or in connection with the sale of real estate." (No. 2582, Rec. No. 343.)

Mr. Speaker announced the special order, being the bill (No. 2581, Int. No. 1786), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' generally."

Said bill having been announced for a second reading,

On motion of Mr. Foley, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Tuesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 2132, Rec. No. 531), entitled "An act for the relief of the towns in the county of Franklin."

On motion of Mr. Merritt, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Herrick J J | McElligott | Shlivek |
| Ahern | Donnelly | Herrick W R | McGrath | Shortt |
| Allen | Donovan | Higgins | McKeon | Smith A E |
| Baumes | Drummond | Hinman | Miller | Stivers |
| Beach | Egan | Hoey | Monczynski | Sweet |
| Blauvelt | Evans | Hoff | Mork | Talmage |
| Boylan | Farrell | Hollmann | Myers | Terry |
| Brace | Fay | Hoyt | Neupert | Thorn |
| Brennan | Filley | Huber | Nolan | Trombly |
| Brereton | Fitzpatrick | Jackson | Oliver | Turley |
| Bridenbecker | Foley | Jameson | O'Neill J J | Walker |
| Brown | Geatons | Jones | O'Neil M A | Ward |
| Bryant | Gerhardt | Kennedy | Pappert | Waring |
| Bush | Goldberg | Keys | Parker A | Warren |
| Carew | Goodman | Kopp | Patrie | Washburn |
| Cheney | Goodwin | Lansing | Phillips C W | Waters F A |
| Coffey | Gould | LaReau | Phillips J S | Waters R B |
| Collin | Graubard | Levy A J | Pierce | Wende |
| Colné | Gregg | Levy J | Saunders | Wheeler |
| Connell | Gurnett | Macdonald | Schifferdecker | Wilson |
| Constantine | Hackett | MacGregor | Seeley | Winters |
| Cosad | Haines | Manley | Shannon | Yale |
| Cuvillier | Hammond | Martin | Sheide | Young |
| Dawson | Hart | McCue | Shepardson | Zorn |
| Day | Hearn | McDaniels | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2031, Rec. No. 546), entitled "An act to amend chapter seven hundred and six of the Laws of nineteen hundred and one, entitled 'An act to make the office of register of the county of Kings a salaried office, and regulating the management of said office,' as amended by chapter six hundred and ninety-nine of the

Laws of nineteen hundred and four, and chapter four hundred and ninety-six of the Laws of nineteen hundred and six, relating to additional assistants, clerks, employees or subordinates in said office, and fixing salaries of assistants, clerks, employees or subordinates in said office."

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Ad'ler | Donnelly | Herrick W R | McElligott | Shlivek |
| Ahern | Donovan | Higgins | McGrath | Shortt |
| Allen | Drummond | Hinman | McKeon | Smith A E |
| Baumes | Egan | Hoey | Miller | Stivers |
| Beach | Evans | Hoff | Monczynski | Sweet |
| Blauvelt | Farrell | Hollmann | Mork | Talmage |
| Boylan | Fay | Hoyt | Myers | Terry |
| Brace | Filley | Huber | Neupert | Thorn |
| Brennan | Fitzpatrick | Jackson | Nolan | Trombly |
| Brereton | Foley | Jameson | Oliver | Turley |
| Bridenbecker | Geatons | Jones | O'Neill J J | Walker |
| Brown | Gerhardt | Kennedy | O'Neil M A | Ward |
| Bryant | Goldberg | Keys | Pappert | Waring |
| Bush | Goodman | Kopp | Parker A | Warren |
| Carew | Goodwin | Lansing | Patrie | Washburn |
| Cheney | Gould | LaReau | Phillips C W | Waters F A |
| Coffey | Graubard | Levy A J | Phillips J S | Waters R B |
| Collin | Gregg | Levy J | Pierce | Wende |
| Connell | Gurnett | Macdonald | Saunders | Wheeler |
| Constantine | Hackett | MacGregor | Schifferdecker | Wilson |
| Cosad | Haines | Manley | Seeley | Winters |
| Cuvillier | Hammond | Martin | Shannon | Yale |
| Dawson | Hart | McCue | Sheide | Young |
| Day | Hearn | McDaniels | Shepardson | Zorn |
| DeLano | Herrick J J | | | |

In the negative:

Colné

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2072, Rec. No. 532), entitled "An act to amend the General City Law, in relation to license to operate moving picture apparatus."

Said bill having been announced for a second reading,

On motion of Mr. Foley, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Tuesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 2164, Rec. No. 544), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-two, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter one hundred and sixty-one of the Laws of eighteen hundred and ninety-seven, relating to the firemen's relief and pension fund."

Said bill having been announced for a third reading,

On motion of Mr. Wende, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 1548, Rec. No. 355), entitled "An act to provide for the construction of a new bridge over the Black River canal at East Dominick street in the city of Rome, and making an appropriation therefor."

On motion of Mr. Manley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|-------|----------|-------------|------------|-----------|
| Adler | DeLano | Herrick W R | McElligott | Shlivek |
| Ahern | Donnelly | Higgins | McGrath | Shortt |
| Allen | Donovan | Hinman | McKeon | Smith A E |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Baumes | Drummond | Hoey | Miller | Stivers |
| Beach | Egan | Hoff | Monczynski | Sweet |
| Blauvelt | Evans | Hollmann | Mork | Talmage |
| Boylan | Farrell | Hoyt | Myers | Terry |
| Brace | Fay | Huber | Neupert | Thorn |
| Brennan | Filley | Jackson | Nolan | Trombly |
| Brereton | Fitzpatrick | Jameson | Oliver | Turley |
| Bridenbecker | Foley | Jones | O'Neill J J | Walker |
| Brown | Geatons | Kennedy | O'Neil M A | Ward |
| Bryant | Gerhardt | Keys | Pappert | Waring |
| Bush | Goodman | Kopp | Parker A | Warren |
| Carew | Goodwin | Lansing | Patrie | Washburn |
| Cheney | Gould | LaReau | Phillips C W | Waters F A |
| Coffey | Graubard | Levy A J | Parker J S | Waters R B |
| Collin | Gregg | Levy J | Pierce | Wende |
| Colné | Gurnett | Macdonald | Saunders | Wheeler |
| Connell | Hackett | MacGregor | Schifferdecker | Wilson |
| Constantine | Haines | Manley | Seeley | Winters |
| Cosad | Hammond | Martin | Shannon | Yale |
| Cuvillier | Hart | McCue | Sheide | Young |
| Dawson | Hearn | McDaniels | Shepardson | Zorn |
| Day | Herrick J J | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1457, Rec. No. 217), entitled "An act to amend the Insanity Law, constituting chapter twenty-seven of the Consolidated Laws, by abolishing the office of purchasing steward in certain of the State hospitals."

On motion of Mr. A. J. Levy, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------|----------|-------------|------------|-----------|
| Adler | DeLano | Herrick W R | McElligott | Shlivek |
| Ahern | Donnelly | Higgins | McGrath | Shortt |
| Allen | Donovan | Hinman | McKeon | Smith A E |
| Baumes | Drummond | Hoey | Miller | Stivers |
| Beach | Egan | Hoff | Monczynski | Sweet |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Blauvelt | Evans | Hollmann | Mork | Talmage |
| Boylan | Farrell | Hoyt | Myers | Terry |
| Brace | Fay | Huber | Neupert | Thorn |
| Brennan | Filley | Jackson | Nolan | Trombly |
| Brereton | Fitzpatrick | Jameson | Oliver | Turley |
| Bridenbecker | Foley | Jones | O'Neill J J | Walker |
| Brown | Geatons | Kennedy | O'Neil M A | Ward |
| Bryant | Gerhardt | Keys | Pappert | Waring |
| Bush | Goodman | Kopp | Parker A | Warren |
| Carew | Goodwin | Lansing | Patrie | Washburn |
| Cheney | Gould | LaReau | Phillips C W | Waters F A |
| Coffey | Graubard | Levy A J | Phillips J S | Waters R B |
| Collin | Gregg | Levy J | Pierce | Wende |
| Colné | Gurnett | Macdonald | Saunders | Wheeler |
| Connell | Hackett | MacGregor | Schifferdecker | Wilson |
| Constantine | Haines | Manley | Seeley | Winters |
| Cosad | Hammond | Martin | Shannon | Yale |
| Cuvillier | Hart | McCue | Sheide | Young |
| Dawson | Heain | McDaniels | Shepardson | Zorn |
| Day | Herriek J J | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1706, Rec. No. 430), entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' generally."

On motion of Mr. Jackson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Adler | DeLano | Herriek W R | McElligott | Shlivek |
| Ahern | Donnelly | Higgins | McGrath | Shortt |
| Allen | Donovan | Hinman | McKeon | Smith A E |
| Baumes | Drummond | Hoey | Miller | Stivers |
| Beach | Egan | Hoff | Monczynski | Sweet |
| Blauvelt | Evans | Hollman | Mork | Talmage |
| Boylan | Farrell | Hoyt | Myers | Terry |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Brace | Fay | Huber | Neupert | Thorn |
| Brennan | Filley | Jackson | Nolan | Trombly |
| Brereton | Fitzpatrick | Jameson | Oliver | Turley |
| Bridenbecker | Foley | Jones | O'Neill J J | Walker |
| Brown | Geatons | Kennedy | O'Neil M A | Ward |
| Bryant | Gerhardt | Keys | Pappert | Waring |
| Bush | Goodman | Kopp | Parker A | Warren |
| Carew | Goodwin | Lansing | Patrie | Washburn |
| Cheney | Gould | LaReau | Phillips C W | Waters F A |
| Coffey | Graubard | Levy A J | Phillips J S | Waters R B |
| Collin | Gregg | Levy J | Pierce | Wende |
| Colné | Gurnett | Macdonald | Saunders | Wheeler |
| Connell | Hackett | MacGregor | Schifferdecker | Wilson |
| Constantine | Haines | Manley | Seeley | Winters |
| Cosad | Hammond | Martin | Shannon | Yale |
| Cuvillier | Hart | McCue | Sheide | Young |
| Dawson | Hearn | McDaniels | Shepardson | Zorn |
| Day | Herrick J J | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1997, Rec. No. 497), entitled "An act to amend chapter four hundred and forty-one of the Laws of eighteen hundred and ninety-nine, entitled 'An act to create a commissioner of jurors in the several counties of this State,' in relation to Nassau county."

On motion of Mr. Sheide, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 1

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Adler | DeLano | Herrick W R | McElligott | Shlivek |
| Ahern | Donnelly | Higgins | McGrath | Shortt |
| Allen | Donovan | Hinman | McKoon | Smith A E |
| Baumes | Drummond | Hoey | Miller | Stivers |
| Beach | Egan | Hoff | Monezynski | Sweet |
| Blauvelt | Evans | Hollmann | Mork | Talmage |
| Boylan | Farrell | Hoyt | Myers | Terry |
| Brace | Fay | Huber | Neupert | Thorn |
| Brennan | Filley | Jackson | Nolan | Trombly |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Brereton | Fitzpatrick | Jameson | Oliver | Turley |
| Bridenbecker | Foley | Jones | O'Neill J J | Walker |
| Brown | Geatons | Kennedy | O'Neil M A | Ward |
| Bryant | Gerhardt | Keys | Pappert | Waring |
| Bush | Goodman | Kopp | Parker A | Warren |
| Carew | Goodwin | Lansing | Patrie | Washburn |
| Cheney | Graubard | LaReau | Phillips C W | Waters F A |
| Coffey | Gregg | Levy A J | Phillips J S | Waters R B |
| Collin | Gurnett | Levy J | Pierce | Wende |
| Colné | Hackett | Macdonald | Saunders | Wheeler |
| Connell | Haines | MacGregor | Schifferdecker | Wilson |
| Constantine | Hammond | Manley | Seeley | Winters |
| Cosad | Hart | Martin | Shannon | Yale |
| Cuvillier | Hearn | McCue | Sheide | Young |
| Dawson | Herrick J J | McD niels | Shepardson | Zorn |
| Day | | | | |

In the negative:

Gould

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2053, Rec. No. 543), entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to the temporary commitment of children for purposes of examination."

On motion of Mr. Foley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Adler | DeLano | Herrick W R | McElligott | Shlivek |
| Ahern | Donnelly | Higgins | McGrath | Shortt |
| Allen | Donovan | Hinman | McKeon | Smith A E |
| Baumes | Drummond | Hoey | Miller | Stivers |
| Beach | Egan | Hoff | Monczynski | Sweet |
| Blauvelt | Evans | Hollmann | Mork | Talmage |
| Boylan | Farrell | Hoyt | Myers | Terry |
| Brace | Fay | Huber | Neupert | Thorn |
| Brennan | Filley | Jackson | Nolan | Trombly |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Brereton | Fitzpatrick | Jameson | Oliver | Turley |
| Bridenbecker | Foley | Jones | O'Neill J J | Walker |
| Brown | Geatons | Kennedy | O'Neil M A | Ward |
| Bryant | Gerhardt | Keys | Pappert | Waring |
| Bush | Goodman | Kopp | Parker A | Warren |
| Carew | Goodwin | Lansing | Patrie | Washburn |
| Cheney | Gould | LaReau | Phillips C W | Waters F A |
| Coffey | Graubard | Levy A J | Phillips J S | Waters R B |
| Collin | Gregg | Levy J | Pierce | Wende |
| Colné | Gurnett | Macdonald | Saunders | Wheeler |
| Connell | Hackett | MacGregor | Schifferdecker | Wilson |
| Constantine | Haines | Manley | Seeley | Winters |
| Cosad | Hammond | Martin | Shannon | Yale |
| Cuvillier | Hart | McCue | Sheide | Young |
| Dawson | Hearn | McDaniels | Shepardson | Zorn |
| Day | Herrick J J | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1684, Rec. No. 363), entitled "An act to amend the Education Law, in relation to the establishment of training schools in agriculture and related subjects, and providing for their organization, equipment, maintenance, operations, control and State aid."

On motion of Mr. Zorn, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|-----------|
| Adler | DeLano | Herrick W R | McElligott | Shlivek |
| Ahern | Donnelly | Higgins | McGrath | Shortt |
| Allen | Donovan | Hinman | McKeon | Smith A E |
| Baumes | Drummond | Hoey | Miller | Stivers |
| Beach | Egan | Hoff | Monczynski | Sweet |
| Blauvelt | Evans | Hollmann | Mork | Talmage |
| Boylan | Farrell | Hoyt | Myers | Teriy |
| Brace | Fay | Huber | Neupert | Thorn |
| Brennan | Filley | Jackson | Nolan | Trombly |
| Brereton | Fitzpatrick | Jameson | Oliver | Turley |
| Bridenbecker | Foley | Jones | O'Neill J J | Walker |
| Brown | Geatons | Kennedy | O'Neil M A | Ward |

| | | | | |
|-------------|-------------|-----------|----------------|------------|
| Bryant | Gerhardt | Keys | Pappert | Waring |
| Bush | Goodman | Kopp | Parker A | Warren |
| Carew | Goodwin | Lansing | Patrie | Washburn |
| Cheney | Gould | LaReau | Phillips C W | Waters F A |
| Coffey | Graubard | Levy A J | Phillips J S | Waters R B |
| Collin | Gregg | Levy J | Pierce | Wende |
| Colné | Gurnett | Macdonald | Saunders | Wheeler |
| Connell | Hackett | MacGregor | Schifferdecker | Wilson |
| Constantine | Ha nes | Manley | Seeley | Winters |
| Cosad | Hammond | Martin | Shannon | Yale |
| Cuvillier | Hart | McCue | Sheide | Young |
| Dawson | Hearn | McDaniels | Shepardson | Zorn |
| Day | Herrick J J | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1362, Rec. No. 390), entitled "An act to amend the Education Law, in relation to a State school of agriculture at Cobleskill, Schoharie county, and providing for the purchase of a site and the erection of buildings, and making an appropriation therefor."

On motion of Mr. Myers, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|-----------|
| Adler | DeLano | Herrick W R | McElligott | Shlivek |
| Ahern | Donnelly | Higgins | McGrath | Shortt |
| Allen | Donovan | Hinman | McKeon | Smith A E |
| Baumes | Drummond | Hoe | Merritt | Stivers |
| Beach | Egan | Hoff | Monczynski | Sweet |
| B'auvelt | Evans | Hollmann | Mork | Talmage |
| Boylan | Farrell | Hoyt | Myers | Terry |
| Brace | Fay | Huber | Neupert | Thorn |
| Brennan | Filley | Jackson | Nolan | Trombly |
| Brereton | Fitzpatrick | Jameson | Oliver | Turley |
| Bridenbecker | Foley | Jones | O'Neill J J | Walker |
| Brooks | Geatons | Kennedy | O'Neil M A | Ward |
| Bryant | Gerhardt | Keys | Pappert | Waring |

| | | | | |
|-------------|-------------|-----------|----------------|------------|
| Bush | Goodman | Kopp | Parker A | Warren |
| Carew | Goodwin | Lansing | Patrie | Washburn |
| Cheney | Gould | LaReau | Phillips C W | Waters F A |
| Coffey | Graubard | Levy A J | Phillips J S | Waters R B |
| Collin | Gregg | Levy J | Pierce | Wende |
| Colné | Gurnett | Macdonald | Saunders | Wheeler |
| Connell | Hackett | MacGregor | Schifferdecker | Wilson |
| Constantine | Haines | Manley | Seeley | Winters |
| Cosad | Hammond | Martin | Shannon | Yale |
| Cuvillier | Hart | McCue | Sheide | Young |
| Dawson | Hearn | McDaniels | Shepardson | Zorn |
| Day | Herrick J J | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2074, Rec. No. 538), entitled "An act for the control and regulation of the waters of the Niagara river."

Said bill having been announced for a second reading,

On motion of Mr. Wende, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Wednesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 2082, Assembly Reprint No. 2580, Rec. No. 505), entitled "An act to amend the General Municipal Law, in relation to the acquisition of water rights in Westchester and Putnam counties."

On motion of Mr. Young, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------|----------|-------------|------------|-----------|
| Adler | DeLano | Herrick W R | McElligott | Shlivek |
| Ahern | Donnelly | Higgins | McGrath | Shortt |
| Allen | Donovan | Hinman | McKeon | Smith A E |
| Baumes | Drummond | Hoey | Miller | Stivers |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Beach | Egan | Hoff | Monezynski | Sweet |
| Blauvelt | Evans | Hollmann | Mork | Talmage |
| Boylan | Farrell | Hoyt | Myers | Terry |
| Brace | Fay | Huber | Neupert | Thorn |
| Brennan | Filley | Jackson | Nolan | Trombly |
| Brereton | Fitzpatrick | Jameson | Oliver | Turley |
| Bridenbecker | Foley | Jones | O'Neill J J | Walker |
| Brown | Geatons | Kennedy | O'Neil MA | Ward |
| Bryant | Gehardt | Keys | Pappert | Waring |
| Bush | Goodman | Kopp | Parker A | Warren |
| Carew | Goodwin | Lansing | Patrie | Washburn |
| Cheney | Gould | LaReau | Phillips C W | Waters F A |
| Coffey | Graubard | Levy A J | Phillips J S | Waters R B |
| Collin | Gregg | Levy J | Pierce | Wende |
| Colné | Gurnett | Macdonald | Saunders | Wheeler |
| Connell | Hackett | MacGregor | Schifferdecker | Wilson |
| Constantine | Haines | Manley | Seeley | Winters |
| Cosad | Hammond | Martin | Shannon | Yale |
| Cuvillier | Hart | McCue | Sheide | Young |
| Dawson | Hearn | McDaniels | Shepardson | Zorn |
| Day | Herrick J J | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 1856, Assembly Reprint No. 2582, Rec. No. 343), entitled "An act to amend the Penal Law, in relation to false or misleading advertisements or statements as to or in connection with the sale of real estate."

Said bill having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Tuesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 1023, Assembly Reprint No. 2583, Rec. No. 365), entitled "An act to amend the Tax Law, in relation to the appointment of a transfer tax clerk in Nassau county."

On motion of Mr. Sheide, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Herrick J J | McDaniels | Shlivek |
| Ahern | Donnelly | Herrick W R | McElligott | Sheide |
| Allen | Donovan | Higgins | McGrath | Smith A E |
| Baumes | Drummond | Hinman | McKeon | Stivers |
| Beach | Egan | Hoey | Miller | Sweet |
| Blauvelt | Evans | Hoff | Monezynski | Talmage |
| Boylan | Farrell | Hollmann | Mork | Terry |
| Brace | Fay | Hoyt | Myers | Thorn |
| Brennan | Filley | Huber | Neupert | Trombly |
| Brereton | Fitzpatrick | Jackson | Nolan | Turley |
| Bridenbecker | Foley | Jameson | Oliver | Walker |
| Brown | Geatons | Jones | O'Neill J J | Ward |
| Bryant | Gerhardt | Kennedy | O'Neil M A | Waring |
| Bush | Goodman | Keys | Pappert | Warren |
| Carew | Goodwin | Kopp | Parker A | Washburn |
| Cheney | Gould | Lansing | Patrie | Waters F A |
| Coffey | Graubard | LaReau | Phillips C W | Waters R B |
| Collin | Gregg | Levy A J | Pierce | Wende |
| Colné | Gurnett | Levy J | Saunders | Wheeler |
| Connell | Hackett | Macdonald | Schifferdecker | Wilson |
| Constantine | Haines | MacGregor | Seeley | Winters |
| Cosad | Hammond | Manley | Shannon | Yale |
| Cuvillier | Hart | Martin | Sheide | Young |
| Dawson | Hearn | McCue | Shepardson | Zorn |
| Day | | | | |

In the negative:

Phillips J S

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the bill (No. 2589, Int. No. 1258), entitled "An act to amend the Tenement-House Law, in relation to lighting and ventilation of rooms."

Said bill having been announced for a second reading,

On motion of Mr. Zorn, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Tuesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 2105, Rec. No. 569), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of Claude B. Mayham, as executor of the last will and testament of Stephen L. Mayham, deceased, against the State of New York, and to render judgment therefor."

On motion of Mr. Myers, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Herrick J J | McDaniels | Shlivek |
| Ahern | Donnelly | Herrick W R | McElligott | Shortt |
| Allen | Donovan | Higgins | McGrath | Smith A E |
| Baumes | Drummond | Hinman | McKeon | Stivers |
| Beach | Egan | Hoey | Miller | Sweet |
| Blauvelt | Evans | Hoff | Monczynski | Talmage |
| Boylan | Farrell | Hollmann | Mork | Terry |
| Brace | Fay | Hoyt | Myers | Thorn |
| Brennan | Filley | Huber | Neupert | Trombly |
| Brereton | Fitzpatrick | Jackson | Nolan | Turley |
| Bridenbecker | Foley | Jameson | Oliver | Walker |
| Brown | Geatons | Jones | O'Neill J J | Ward |
| Bryant | Gerhardt | Kennedy | O'Neil M A | Waring |
| Bush | Goodman | Keys | Pappert | Warren |
| Carew | Goodwin | Kopp | Parker A | Washburn |
| Cheney | Gould | Lansing | Patrie | Waters F A |
| Coffey | Graubard | LaReau | Phillips C W | Waters R B |
| Collin | Gregg | Levy A J | Pierce | Wende |
| Colné | Gurnett | Levy J | Saunders | Wheeler |
| Connell | Hackett | Macdonald | Schifferdecker | Wilson |
| Constantine | Haines | MacGregor | Seeley | Winters |
| Cosad | Hammond | Manley | Shannon | Yale |
| Cuvillier | Hart | Martin | Sheide | Young |
| Dawson | Hearn | McCue | Shepardson | Zorn |
| Day | | | | |

In the negative:

Phillips J S

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1523, Assembly Reprint No. 2584, Rec. No. 302), entitled "An act to amend the Penal Law, in relation to penalties for violations of the Labor Law."

Said bill having been announced for a third reading,

On motion of Mr. Cuvillier, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 2597, Int. No. 1927) entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations," was read the second time.

On motion of Mr. A. E. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2579, Int. No. 1371) entitled "An act to amend the Public Health Law, in relation to the licensing of undertakers and the compensation of members and officers of the State Board of Embalming Examiners," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Herrick W R | McElligott | Shlivek |
| Ahern | Donnelly | Higgins | McGrath | Shortt |
| Allen | Donovan | Hinman | McKeon | Smith A E |
| Baumes | Drummond | Hoey | Miller | Stivers |
| Beach | Egan | Hoff | Monczynski | Sweet |
| Blauvelt | Evans | Hollmann | Mork | Talmage |
| Boylan | Farrell | Hoyt | Myers | Terry |
| Brace | Fay | Huber | Neupert | Thorn |
| Brennan | Filley | Jackson | Nolan | Trombly |
| Brereton | Fitzpatrick | Jameson | Oliver | Turley |
| Bridenbecker | Foley | Jones | O'Neill J J | Walker |
| Brown | Geatons | Kennedy | O'Neil M A | Ward |
| Bryant | Gerhardt | Keys | Pappert | Waring |
| Bush | Goodman | Kopp | Parker A | Warren |
| Carew | Goodwin | Lansing | Patrie | Washburn |
| Cheney | Gould | LaReau | Phillips C W | Waters F A |
| Coffey | Graubard | Levy A J | Parker J S | Waters R B |
| Collin | Gregg | Levy J | Pierce | Wende |
| Colné | Gurnett | Macdonald | Saunders | Wheeler |
| Connell | Hackett | MacGregor | Schifferdecker | Wilson |
| Constantine | Haines | Manley | Seeley | Winters |
| Cosad | Hammond | Martin | Shannon | Yale |
| Cuvillier | Hart | McCue | Sheide | Young |
| Dawson | Hearn | McDaniels | Shepardson | Zorn |
| Day | Herrick J J | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

The bill (No. 2586, Int. No. 1007) entitled "An act to amend the Tax Law, relative to the making of special franchise valuations by the State Board of Tax Commissioners," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Herrick W R | McElligott | Shlivek |
| Ahern | Donnelly | Higgins | McGrath | Shortt |
| Allen | Donovan | Hinman | McKeon | Smith A E |
| Baumes | Drummond | Hocoy | Miller | Stivers |
| Beach | Egan | Hoff | Monczynski | Sweet |
| Blauvelt | Evans | Hollmann | Mork | Talmage |
| Boylan | Farrell | Hoyt | Myers | Terry |
| Brace | Fay | Huber | Neupert | Thorn |
| Brennan | Filley | Jackson | Nolan | Trombly |
| Brereton | Fitzpatrick | Jameson | Oliver | Turley |
| Bridenbecker | Foley | Jones | O'Neill J J | Walker |
| Brown | Geatons | Kennedy | O'Neil M A | Ward |
| Bryant | Gerhardt | Keys | Pappert | Waring |
| Bush | Goodman | Kopp | Parker A | Warren |
| Carew | Goodwin | Lansing | Patrie | Washburn |
| Cheney | Gould | LaReau | Phillips C W | Waters F A |
| Coffey | Graubard | Levy A J | Phillips J S | Waters R B |
| Collin | Gregg | Levy J | Pierce | Wende |
| Colné | Gurnett | Macdonald | Saunders | Wheeler |
| Cnnell | Hackett | Macgregor | Schifferdecker | Wilson |
| Constantine | Haines | Manley | Seeley | Winters |
| Cosad | Hammond | Martin | Shannon | Yale |
| Cuvillier | Hart | McCue | Sheide | Young |
| Dawson | Hearn | McDaniels | Shepardson | Zorn |
| Day | Herrick J J | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

The Senate returned the bill (No. 2248, Int. No. 1815), entitled "An act to authorize the retirement of George A. Pattison, a patrolman of the New York city police force, upon a pension payable from the police pension fund of said city," with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 9, strike out the word "equal" and insert the words "not exceeding".

Page 2, line 1, strike out the word "to" at the beginning of said line.

Mr. Shortt moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Herrick W R | McElligott | Shlivek |
| Ahern | Donnelly | Higgins | McGrath | Shortt |
| Allen | Donovan | Hinman | McKeon | Smith A E |
| Baumes | Drummond | Hoey | Miller | Stivers |
| Beach | Egan | Hoff | Monczynski | Sweet |
| Blauvelt | Evans | Hollmann | Mork | Talmage |
| Boylan | Farrell | Hoyt | Myers | Terry |
| Brace | Fay | Huber | Neupert | Thorn |
| Brennan | Filley | Jackson | Nolan | Trombly |
| Brereton | Fitzpatrick | Jameson | Oliver | Turley |
| Bridenbecker | Foley | Jones | O'Neill J J | Walker |
| Brown | Geatons | Kennedy | O'Neil M A | Ward |
| Bryant | Gerhardt | Keys | Pappert | Waring |
| Bush | Goodman | Kopp | Parker A | Warren |
| Carew | Goodwin | Lansing | Patrie | Washburn |
| Cheney | Gould | LaReau | Phillips C W | Waters F A |
| Coffey | Graubard | Levy A J | Phillips J S | Waters R B |
| Collin | Gregg | Levy J | Fierce | Wende |
| Colné | Gurnett | Macdonald | Saunders | Wi eeler |
| Connell | Hackett | MacGregor | Schifferdecker | Wilson |
| Constantine | Haines | Manley | Seeley | Winters |
| Cosad | Hammond | Martin | Shannon | Yale |
| Cuvillier | Hart | McCue | Sheide | Young |
| Dawson | Hearn | McDaniels | Shepardson | Zorn |
| Day | Herrick J J | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned Assembly bill (No. 1941, Reprint No. 2468, Senate Reprint No. 2109, Int. No. 356), entitled "An act to amend the Forest, Fish and Game Law, in relation to the taking of Mongolian ring-necked or other pheasants," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same, and with the further message that they have again reconsidered their vote by which said bill passed and have concurred in the passage of the same, amended as follows:

Page 2, line 12, after the word "*Oswego*" insert in italics the following: "*Except the towns of Albion, Williamstown, Parish, West Monroe and Amboy*".

Page 3, line 4, after the words "*counties*" insert in italics the words "*and towns*".

Mr. C. W. Phillips moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Herrick W R | McElligott | Shliv:k |
| Ahern | Donnelly | Higgins | McGrath | Shortt |
| Allen | Donovan | Hinman | McKeon | Smith A E |
| Baumes | Drummond | Hoey | Miller | Stivers |
| Beach | Egan | Hoff | Monezynski | Sweet |
| Blauvelt | Evans | Hollmann | Mork | Talmage |
| Boylan | Farrell | Hoyt | Myers | Terry |
| Brace | Fay | Huber | Neupert | Thorn |
| Brennan | Filley | Jackson | Nolan | Trombly |
| Brereton | Fitzpatrick | Jameson | Oliver | Turley |
| Bridenbecker | Foley | Jones | O'Neill J J | Walker |
| Brown | Geatons | Kennedy | O'Neil M A | Ward |
| Bryant | Gerhardt | Keys | Pappert | Waring |
| Bush | Goodman | Kopp | Parker A | Warrea |
| Carew | Goodwin | Lansing | Patrie | Washburn |
| Cheney | Gould | LaReau | Phillips C W | Waters F A |
| Coffey | Graubard | Levy A J | Phillips J S | Waters R B |
| Collin | Gregg | Levy J | Pierce | Wende |
| Colné | Gurnett | Macdonald | Saunders | Wheeler |
| Connell | Hackett | MacGregor | Schifferdecker | Wilson |
| Constantine | Haines | Manley | Seeley | Winters |

| | | | | |
|-----------|-------------|-----------|------------|-------|
| Cosad | Hammond | Martin | Shannon | Yale |
| Cuvillier | Hart | McCue | Sheide | Young |
| Dawson | Hearn | McDaniels | Shepardson | Zorn |
| Day | Herrick J J | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

A message was received from the Senate, in the words following:

IN SENATE, *July 12, 1911.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 38, Reprint No. 2095, Int. No. 223), entitled "An act to amend the Village Law, in relation to the adoption of a proposition to issue bonds or other obligations."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Coats, and by unanimous consent, the same was amended as follows:

Page 1, line 4, insert quotation marks after the comma.

Page 1, line 5, strike out the quotation marks and insert in place thereof the following: "and chapter fifty-seven of the Laws of nineteen hundred and eleven."

Page 1, line 8, after the word "years" and before the ensuing period insert a comma inclosed with brackets.

Page 2, line 10, strike out the comma after the word "grading".

Page 2, line 11, before the word "purchase" insert the word "purpose" inclosed with brackets and italicise the word "purchase."

Page 2, line 12, before "machinery" insert the word "making" not in italics.

Page 2, line 18, after "free" insert "public" not in italics.

Page 2, line 23, strike out "and" and insert in place thereof the word "or" not in italics.

Page 3, line 6, after "taxes" insert "levied or to be levied" not in italics and strike out "prior to the an-".

Page 3, line 7, strike out down to and including the comma.

Page 3, line 9, after the comma and before the word "and" insert, but not in italics, the following: "nor in excess of the amount of taxes of said fiscal year remaining unpaid at the time such money is borrowed," and strike out "it" and insert in place thereof the words "the money so borrowed" not in italics.

Page 3, line 10, after "village" insert a comma inclosed with brackets.

Page 3, line 11, strike out "is on hand" and insert in place thereof, but not in italics, the following: "has previously been estimated by the board of trustees as necessary to be raised during the then fiscal year," and insert after "or" the word "unless" not in italics.

Page 3, line 14, italicise the comma.

Said bill, as amended, was reprinted, re-engrossed, and having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

PATRICK E. McCABE,

Clerk.

Said bill having been announced,

Mr. Hammond moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Herrick W R | McElligott | Shlivek |
| Ahern | Donnelly | Higgins | McGrath | Shortt |
| Allen | Donovan | Hinman | McKeon | Smith A E |
| Baumes | Drummond | Hoey | Miller | Stivers |
| Beach | Egan | Hoff | Monczynski | Sweet |
| Blauvelt | Evans | Hollmann | Mork | Talmage |
| Boylan | Farrell | Hoyt | Myers | Terry |
| Brace | Fay | Huber | Neupert | Thorn |
| Brennan | Filley | Jackson | Nolan | Trombly |
| Brereton | Fitzpatrick | Jameson | Oliver | Turley |
| Bridenbecker | Foley | Jones | O'Neill J J | Walker |
| Brown | Geatons | Kennedy | O'Neil M A | Ward |
| Bryant | Gerhardt | Keys | Pappert | Waring |
| Bush | Goodman | Kopp | Parker A | Warren |
| Carew | Goodwin | Lansing | Patrie | Washburn |
| Cheney | Gould | LaReau | Phillips C W | Waters F A |
| Coffey | Graubard | Levy A J | Phillips J S | Waters R B |
| Collin | Gregg | Levy J | Pierce | Wende |
| Colné | Gurnett | Macdonald | Saunders | Wheeler |
| Connell | Hackett | MacGregor | Schifferdecker | Wilson |
| Constantine | Haines | Manley | Seeley | Winters |
| Cosad | Hammond | Martin | Shannon | Yale |
| Cuvillier | Hart | McCue | Sheide | Young |
| Dawson | Hearn | McDaniels | Shepardson | Zorn |
| Day | Herrick J J | | | |

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Herrick W R | McElligott | Shlivek |
| Ahern | Donnelly | Higgins | McGrath | Shortt |
| Allen | Donovan | Hinman | McKeon | Smith A E |
| Baumes | Drummond | Hoey | Miller | Stivers |
| Beach | Egan | Hoff | Monczynski | Sweet |
| Blauvelt | Evans | Hollmann | Mork | Talmage |
| Boylan | Farrell | Hoyt | Myers | Terry |
| Brace | Fay | Huber | Neupert | Thorn |
| Brennan | Filley | Jackson | Nolan | Trombly |
| Brereton | Fitzpatrick | Jameson | Oliver | Turley |
| Bridenbecker | Foley | Jones | O'Neill J J | Walker |
| Brown | Geatons | Kennedy | O'Neil M A | Ward |
| Bryant | Gerhardt | Keys | Pappert | Waring |
| Bush | Goodman | Kopp | Parker A | Warren |
| Carew | Goodwin | Lansing | Patrie | Washburn |
| Cheney | Gould | LaReau | Phillips C W | Waters F A |
| Coffey | Graubard | Levy A J | Phillips J S | Waters R B |
| Collin | Gregg | Levy J | Pierce | Wende |
| Colné | Gurnett | Macdonald | Saunders | Wheeler |
| Connell | Hackett | MacGregor | Schifferdecker | Wilson |
| Constantine | Haines | Manley | Seeley | Winters |
| Cross | Hammond | Martin | Shannon | Yale |
| Cuvillier | Hart | McCue | Sheide | Young |
| Dawson | Hearn | McDaniels | Shepardson | Zorn |
| Day | Herrick J J | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

Mr. Bush offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 599, Int. No. 577), entitled "An act to amend the Education Law, in relation to the establishment of a State school of sanitary science and public health at Cornell University, and making an appropriation therefor," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Cuvillier offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the mayor of the city of New York, requesting that he return to the Assembly a certified copy of Assembly bill (No. 1628, Int. No. 1372), entitled "An act to organize and equip a colored regiment of infantry in the city of New York, to become a part of the National Guard of the State of New York," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *July 17, 1911.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 1873, Rec. No. 498), entitled "An act to legalize, ratify and confirm all the proceedings of the city of Hornell, and of its common council, boards, officers and agents, and the qualified resident taxpayers thereof, relative to the issue of the bonds of said city in the amount of eighty thousand dollars, for the purpose of purchasing the necessary lands and constructing thereon a storage reservoir in connection with its municipal water system, and for building an additional pipe line from the filters to the city, and to authorize the issue thereof, and providing for the resale of said bonds in case of certain conditions," for the purpose of amendment.

By order of the Senate,

PATRICK E. McCABE.

Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, June 24, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 599, Int. No. 577), entitled "An act to amend the Education Law, in relation to the establishment of a State school of sanitary science and public health at Cornell University, and making an appropriation therefor."

JOHN A. DIX.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, May 3, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 893, Int. No. 803), entitled "An act to amend chapter twenty of the Laws of nineteen hundred and six, entitled 'An act creating the office of purchasing agent for the county of Onondaga, and prescribing his powers and duties,' generally."

JOHN A. DIX.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 602, Int. No. 581), entitled "An act providing that the police commissioner of the city of New York in his discretion may reappoint Thomas G. Mellon, an ex-policeman of the city of New York, who resigned from said police department August twenty-first, eighteen hundred and ninety-five," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

Mr. Wheeler: Mr. Speaker, I move that when the Assembly adjourn it do so out of respect to the late Hon. James R. Cowan, former member of this body from the county of Delaware.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative by a unanimous vote.

Mr. Speaker declared the House adjourned.

TUESDAY, JULY 18, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Ralph G. Turley.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

A message from the Governor, by the hand of his secretary, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 18, 1911.

To the Legislature:

I am informed that it is the intention of your honorable body to take up for discussion and action the question of direct nominations presented in Assembly bill No. 2598, entitled "An act to amend the Election Law, in relation to nominations and primaries," as amended and reported by the Assembly judiciary committee.

It is, I understand, the intention of the Legislature to adjourn for a period of several weeks. Therefore, a direct nomination bill that now passes the Senate and Assembly must be signed or vetoed in the form it comes to me for executive action, as there will be no opportunity for recall and amendment.

Direct nominations is not, and should not be, a party question. All the political parties have declared in favor of the principle of direct nomination of party candidates and of members of party committees by enrolled party voters. The Rochester platform pledged the Democratic party to the principle of State-wide direct primaries that will "ensure to the people the right to choose members of political committees and nominate candidates for public office." The Republican platform was hardly less explicit. The duty of fulfilling these pledges to the people should rest alike upon all members of the Legislature, irrespective of political affiliation. The question should be approached, not in a party spirit, but with an eye single to serving the State, and to the improvement in political methods and conditions which will inevitably follow the adoption of a system of nominations and committee appointments that will place directly in the hands of party voters the nomination of party candidates and the naming of members of party committees.

The people of the State have accepted in good faith the declaration of the political parties, and especially the declaration of the Rochester convention, to mean a primary law State-wide in its

application and operation, and ensuring to party voters the right to nominate practically all candidates for elective offices. This expectation is not met by the direct nomination bill reported to the Legislature by the Assembly judiciary committee. In working out the details of a system of direct nominations, honest differences of opinion may exist. These differences should be settled by discussion and perhaps by mutual concession and compromise that involve no surrender of the essential and vital elements of the principle of State-wide direct nominations. But the system itself rests on fundamental requirements that cannot be ignored or surrendered.

If the political parties represented in the Legislature are to keep faith with the people, party primaries must be surrounded with all the safeguards and accessories of a general election. Town, village and ward candidates are now nominated at direct primaries. It can be claimed with some reason that the State convention should be retained. Only a State convention consisting of delegates elected by the party voters from the political subdivisions represented in the convention can with authority and propriety adopt a platform that will enunciate the party interpretation of political principles and state the party position on pending public questions and political issues. With these exceptions, the bill should apply to all elective offices and to all political committees.

Members of political committees, beginning with the State committee, and including all the lesser committees, should be the choice of the party voters of the district they represent on the committees. It is no proper function of the State convention to name or elect the members of the State committee of the party. I do not believe the people will tolerate a bill that takes from the voters of the party within the political subdivisions that constitute the State committee, the right to name its representative on the highest and most powerful body within the party organization.

An official ballot is another essential requisite of a direct nomination measure that will meet the expectation and the demands of the people of the State. The absence of an official ballot will create confusion and chaos, and may open the door to fraud. Nominating primaries should be conducted with all the safeguards of an election. An official ballot is as essential to an honest and efficient primary as it is to the election of candidates on election day. Party and political chaos should be avoided and not invited. Chaos would be inevitable at a nominating primary without an official ballot. Neither should nominations be made unnecessarily expensive. The absence of an official ballot would compel each candidate to print and distribute his own ballot.

This condition must inevitably produce confusion, both inside and outside party lines, and in many instances create an expense so great as to prevent many men from seeking public office.

I desire to ask the attention of your honorable body to the great importance of this question of direct nominations. It is my personal wish that a suitable measure be enacted by the present Legislature for the establishment of efficient and honest primaries, thereby meeting a reasonable and righteous demand of the people of the State of New York.

JOHN A. DIX.

A message from the Governor, by the hand of his secretary, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *July 17, 1911.*

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 2167), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relative to actions or proceedings affecting taxes, assessments or tax sales."

This bill is objectionable. First, in its retrospective character, it unwisely shortens or may shorten existing periods of limitation; second, in its prospective character, it is fluctuating and uncertain in operation in that the period within which an action to test the validity of a tax or assessment may be brought may be shortened by the sale of the property; third, existing rights are not adequately safeguarded and future rights not certainly known.

For these reasons, I disapprove this bill.

JOHN A. DIX.

On motion of Mr. Jackson, said message together with said bill was ordered laid upon the table.

A message from the Governor, by the hand of his secretary, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *July 17, 1911.*

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 456, Senate Reprint No. 2026), entitled "An act to confer

jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Manheim Brown against the State, for damages alleged to have been sustained by him, and to render judgment therefor."

This is a special bill conferring jurisdiction upon the Court of Claims to hear the alleged claim of Manheim Brown against the State for damages alleged to have been sustained by him, and to render judgment therefor. This bill has been passed by many Legislatures and has been uniformly disapproved. If it is to be the policy of the State to allow claims of this kind to be adjudicated, the general statute conferring jurisdiction upon the Court of Claims should be suitably amended so as to take care of such claims. I, therefore, disapprove the bill.

JOHN A. DIX.

On motion of Mr. Higgins, said message together with said bill was ordered laid upon the table.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Harte (No. 1880, Rec. No. 540), entitled "An act to amend the Tax Law by adding article fifteen, relating to taxation of secured debts," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Harte (No. 2097, Rec. No. 553), entitled "An act to amend the Tax Law, in relation to taxable transfers," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Oliver gives notice that he requests that the Senate bill introduced by Mr. T. D. Sullivan (No. 1482, Rec. No. 552), entitled "An act to amend section one hundred of the Insurance Law, extending the time within which certain stocks and bonds mentioned therein and now owned by certain life insurance corporations must be sold," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Cheney gives notice that he requests that the Senate bill introduced by Mr. Hamilton (No. 2128, Rec. No. 559), entitled "An act making an appropriation to expedite the building of certain portions of State route number four," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Gerhardt gives notice that he requests that the Senate bill introduced by Mr. Stilwell (No. 1309, Rec. No. 394), entitled "An act to amend the Tax Law, in relation to the revision and readjustment of accounts by the Comptroller," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Jackson gives notice that he requests that the Senate bill introduced by Mr. Ramsperger (No. 292, Rec. No. 185), entitled "An act to amend the Railroad Law, in relation to the number of the crew required for operating certain locomotive engines," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Donnelly gives notice that he requests that the Senate bill introduced by Mr. Black (No. 1963, Rec. No. 451), entitled "An act to better protect dependent wives, children and poor relatives and to declare them the primary beneficiaries of sums of money and any property awarded for their maintenance and support by any court, judge, magistrate, police justice, justice of the peace or judicial officer in this State," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. McClelland (No. 2081, Rec. No. 560), entitled "An act to amend the Judiciary Law, in relation to the appointment and compensation of official referees by the Appellate Division of the Supreme Court in the first department," a copy of which is hereto annexed, be made a special order, and asks that

his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Oliver gives notice that he requests that the Senate bill introduced by Mr. Sage (No. 1476, Rec. No. 377), entitled "An act to provide for the construction of a boulevard and viaduct in the county of Albany, connecting the 'stone road' so-called in the town of Bethlehem in said county with Delaware avenue in the city of Albany, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Jackson gives notice that he requests that the Senate bill introduced by Mr. Ramsperger (No. 2106, Rec. No. 562), entitled "An act authorizing the city of Buffalo to purchase land outside the limits of said city to be used as a nursery for raising trees and shrubbery for the park department of said city, and for planting trees in the streets of said city," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. M. A. O'Neil gives notice that he requests that the Senate bill introduced by Mr. Cronin (No. 1551, Rec. No. 453), entitled "An act to amend the Code of Civil Procedure, in relation to securities," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Foley gives notice that he requests that the Senate bill introduced by Mr. Grady (No. 2079, Rec. No. 557), entitled "An act to amend section eight hundred and thirty of the Code of Civil Procedure, in relation to the testimony of a party or a witness since deceased or insane or who, being a nonresident, has departed from the State," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Gerhardt gives notice that he requests that the Senate bill introduced by Mr. Stilwell (No. 2087, Rec. No. 549), entitled

"An act in relation to the equalization of the salaries of clerks in grades six and seven of the district attorney's office in the county of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Goldberg gives notice that he requests that Assembly bill (No. 1835, Int. No. 494), entitled "An act to amend the Tax Law, in relation to ascertaining value of special franchises and equalization thereof, powers of State Board of Tax Commissioners, and review of assessments," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Evans gives notice that he requests that Assembly bill (No. 1750, Int. No. 1466), entitled "An act making an appropriation to relieve the town of Cumberland in the county of Sullivan for the cost of construction of a free bridge over the Delaware river and Pond Eddy, heretofore constructed by said town, and to provide funds for the payment of its bonds issued therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Ward gives notice that he requests that Assembly bill (No. 2599, Int. No. 331), entitled "An act to amend the Penal Law, in relation to the sale and possession of weapons and explosives, and to impose taxes in respect thereto," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Cosad gives notice that he requests that Assembly bill (No. 1466, Int. No. 1238), entitled "An act to provide for the repair of the docks at Willard, Seneca county, used by the Willard State Hospital, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Patrie gives notice that he requests that Assembly bill (No. 1930, Int. No. 1591), entitled "An act to amend the Education Law, relative to the establishment of county libraries, and contracts by boards of supervisors with public libraries," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Foley gives notice that he requests that the Senate bill introduced by Mr. Cullen (No. 2020, Assembly Reprint No. 2592, Rec. No. 477), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' generally," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bill:

"An act to amend the charter of the city of Jamestown, in relation to the collection, application and distribution of receipts from premiums collected and to be collected from foreign fire insurance companies" (No. 2092, Rec. No. 572), which was read the first time and referred to the committee on affairs of cities.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Harte (No. 1880, Rec. No. 540), entitled "An act to amend the Tax Law, by adding article fifteen relating to taxation of secured debts."

Also, Senate bill introduced by Mr. Harte (No. 2097, Rec. No. 553), entitled "An act to amend the Tax Law, in relation to taxable transfers."

Also, Senate bill introduced by Mr. T. D. Sullivan (No. 1482, Rec. No. 552), entitled "An act to amend section one hundred of the Insurance Law, extending the time within which certain stocks and bonds mentioned therein and now owned by certain life insurance corporations must be sold."

Also, Senate bill introduced by Mr. Hamilton (No. 2128, Rec. No. 559), entitled "An act making an appropriation to expedite the building of certain portions of State route number four."

Also, Senate bill introduced by Mr. Stilwell (No. 1309, Rec. No. 394), entitled "An act to amend the Tax Law, in relation to the revision and readjustment of accounts by Comptroller."

Also, Senate bill introduced by Mr. Ramsperger (No. 292, Rec. No. 185), entitled "An act to amend the Railroad Law, in relation to the number of the crew required for operating certain locomotive engines."

Also, Senate bill introduced by Mr. Black (No. 1963, Rec. No. 451), entitled "An act to better protect dependent wives, children and poor relatives and to declare them the primary beneficiaries of sums of money and any property awarded for their maintenance and support by any court, judge, magistrate, police justice, justice of the peace or judicial officer in this State."

Also, Senate bill introduced by Mr. McClelland (No. 2081, Rec. No. 560), entitled "An act to amend the Judiciary Law, in relation to the appointment and compensation of official referees by the Appellate Division of the Supreme Court in the first department."

Also, Senate bill introduced by Mr. Sage (No. 1476, Rec. No. 377), entitled "An act to provide for the construction of a boulevard and viaduct in the county of Albany, connecting the 'stone road' so-called in the town of Bethlehem in said county with Delaware avenue in the city of Albany, and making an appropriation therefor."

Also, Senate bill introduced by Mr. Ramsperger (No. 2106, Rec. No. 562), entitled "An act authorizing the city of Buffalo to purchase land outside the limits of said city to be used as a nursery for raising trees and shrubbery for the park department of said city, and for planting trees in the streets of said city."

Also, Senate bill introduced by Mr. Cronin (No. 1551, Rec. No. 453), entitled "An act to amend the Code of Civil Procedure, in relation to sureties."

Also, Senate bill introduced by Mr. Grady (No. 2079, Rec. No. 557), entitled "An act to amend section eight hundred and thirty of the Code of Civil Procedure, in relation to the testimony of a party or a witness since deceased or insane or who, being a nonresident, has departed from the State."

Also, Senate bill introduced by Mr. Stilwell (No. 2087, Rec.

No. 549), entitled "An act in relation to the equalization of the salaries of clerks in grade six and seven of the district attorney's office in the county of New York," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Goldberg (No. 1835, Int. No. 494), entitled "An act to amend the Tax Law, in relation to ascertaining value of special franchises and equalization thereof, powers of State Board of Tax Commissioners, and review of assessments."

Also, Assembly bill introduced by Mr. Evans (No. 1750, Int. No. 1466), entitled "An act making an appropriation to relieve the town of Lumberland in the county of Sullivan from the cost of construction of a free bridge over the Delaware river at Pond Eddy, heretofore constructed by said town, and to provide funds for the payment of its bonds issued therefor."

Also, Assembly bill introduced by Mr. Ward (No. 2599, Int. No. 331), entitled "An act to amend the Penal Law, in relation to the sale and possession of weapons and explosives, and to impose taxes in respect thereto."

Also, Assembly bill introduced by Mr. Cosad (No. 1466, Int. No. 1238), entitled "An act to provide for the repair of the dock at Willard, Seneca county, used by the Willard State Hospital and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Patrie (No. 1930, Int. No. 1591), entitled "An act to amend the Education Law, relative to the establishment of county libraries, and contracts by boards of supervisors with public libraries," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made

special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Cullen (No. 2020, Assembly Reprint No. 2592, Rec. No. 477), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' generally," reported in favor of the passage of the same, with the following amendments:

Page 4, line 18, strike out the word "one" and insert in place thereof the word "two", and insert the letter "s" after the word "justice".

Page 5, line 26, strike out the word "two" and insert in place thereof the word "three".

Page 8, lines 4 and 5, strike out the words "The additional justice to be elected at the next general election".

Page 37, line 12, insert a new section as follows: "§ 6. An additional justice provided for in this act shall be elected at the next general election for a term of ten years, from the first day of January, nineteen hundred and twelve."

Page 37, line 13, renumber "§ 6" as "§ 7."

Line 15, renumber "§ 7" as "§ 8."

and that the same be reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported, which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations." (No. 2597, Int. No. 1927.)

"An act to amend the Penal Law, in relation to the sale and possession of weapons and explosives, and to impose taxes in respect thereto." (No. 2599, Int. No. 331.)

"An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' generally." (No. 2581, Int. No. 1786.)

"An act to amend the Lien Law, in relation to mechanic's liens." (No. 1260, Int. No. 1476.)

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Hart | McCue | Shortt |
| Baumes | Day | Hearn | McDaniels | Smith A E |
| Beach | Donnelly | Herrick J J | McElligott | Smith T K |
| Blauvelt | Drummond | Herrick W R | McKeon | Spielberg |
| Boylan | Egan | Heyman | Merritt | Stivers |
| Brace | Evans | Higgins | Monczynski | Sweet |
| Brennan | Fay | Hoey | Mork | Terry |
| Bridenbecker | Filley | Hoff | Murray | Thorn |
| Brooks | Fitzpatrick | Hoyt | Myers | Trombly |
| Brown | Foley | Huber | Neupert | Turley |
| Bryant | Gerhardt | Jackson | Nolan | Ward |
| Bush | Gillen | Jameson | Oliver | Warren |
| Butler | Goldberg | Jones | O'Neil M A | Waters F A |
| Carew | Goldstein | Kennedy | Parker A | Weil |
| Caughlan | Goodman | Keys | Patrie | Wende |
| Chanler | Goodwin | Lansing | Phillips C W | Wheeler |
| Cheney | Gould | LaReau | Phillips J S | Wilson |
| Collin | Gregg | Levy A J | Saunders | Yale |
| Colné | Gurnett | Levy J | Schifferdecker | Yeomans |
| Constantine | Hackett | MacGregor | Seeley | Young |
| Cosad | Haines | Manley | Shannon | Speaker |
| Cuvillier | Hammond | Martin | Shepardson | |

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 2598, Int. No. 1660) entitled "An act to amend the Election Law, in relation to nominations and primaries," was read the second time.

On motion of Mr. Blauvelt, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Speaker announced the special order, being the bill (No. 2570, Int. No. 1006), entitled "An act to amend chapter five hundred and sixty-seven, Laws of eighteen hundred and ninety-four, entitled 'An act to provide for a commission of jurors in counties containing cities of from ninety to ninety-six thousand inhabitants,' in relation to excepting the county of Rensselaer from the operation thereof, and to terminate the office, powers and duties of the present commissioners of jurors in such county."

Debate was had thereon.

Mr. Patrie moved that further consideration of said bill be postponed until Wednesday, July 19th.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

AYES 48

NOES 36

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|-------------|------------|----------------|
| Beach | Day | Gregg | LaReau | O'Neil M A |
| Blauvelt | Donnelly | Gurnett | Manley | Patrie |
| Boylan | Drummond | Hackett | McCue | Schifferdecker |
| Brace | Egan | Hearn | McDaniels | Seeley |
| Brennan | Evans | Herrick W R | McElligott | Smith A E |
| Bridenbecker | Fay | Heyman | McKeon | Spielberg |
| Carew | Foley | Hoey | Monezynski | Trombly |
| Chanler | Gillen | Hoyt | Neupert | Weil |
| Collin | Goldberg | Huber | Oliver | Zorn |
| Cuvillier | Gould | Jameson | | |

Those who voted in the negative were:

| | | | | |
|-------------|---------|-----------|--------------|------------|
| Adler | Cosad | Hoff | Murray | Terry |
| Allen | Filley | Jones | Nolan | Thorn |
| Brooks | Goodman | Kennedy | Phillips C W | Ward |
| Brown | Haines | Keys | Phillips J S | Waring |
| Bryant | Hammond | Lansing | Shepardson | Waters F A |
| Coffey | Hart | MacGregor | Shortt | Wende |
| Colné | Higgins | Merritt | Stivers | Young |
| Constantine | | | | |

Mr. Filley: I desire to call attention to the fact that this bill is not printed in conformity with the rules of the Assembly in that section two is entirely new matter and it is not printed in italics; nor is there any indication that it is other than old matter. There must be some reference to the fact that the section is new matter, and there is no indication in the bill that it is other than old matter. It destroys the very purpose of the rules of the Assembly because misleading and not indicating in any way that section is other than old matter.

Mr. Hammond: The purpose, of course, of this rule is to give notice to the members of the House of what constitutes the amendment in each bill. Technically, every amendment, whether it constitutes the whole section or part of a section must be in italics; but it has always been held both by the present Speaker and all other Speakers who have preceded him that where the whole section was new matter and reference was made to that fact in the preliminary section that that did not have to be italicized. The point, as I understand it, made in this case is that there is absolutely no reference to the fact that this section is entirely new. And there is no way in which a member of this House can tell what the amended matter constitutes or consists of without a comparison of the bill with the present statute. I think the point of order should be well taken under the rules.

Mr. Speaker: The Chair will hold that the purpose of the bill, particularly that covered by section two, is clearly noted and called to the attention of those who examine the bill by the concluding paragraph in the title, and that under these circumstances it does not need to be italicized.

Mr. Hammond: I desire to make the further point of order that the title is contradictory and inconsistent in that the title states that the law seeks to amend the law relative to cities from 90,000 to 96,000 inhabitants; whereas the section refers to counties having cities over 60,000 to 120,000 inhabitants. I think that is a fatal defect in the bill. I desire to raise the further point of order that the bill does not comply with subdivision four of rule eight, which reads in this way: "If any other law, the section and chapter of the statute proposed to be amended, the year of its enactment and the title of the original, together with the chapter and year of all acts amendatory thereof." Now this bill proposes in its first section to amend one section, but as a matter of fact it amends two sections.

Mr. Speaker: The Chair ruled on this point earlier in the session and will adhere to that ruling. The point of order is not well taken.

Mr. Merritt appealed from the decision of the Chair.

Debate was had thereon.

Mr. A. E. Smith moved to lay said appeal upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No.

2555, Int. No. 1583), entitled "An act to amend the Greater New York charter, in relation to push-cart peddlers and the powers of the board of aldermen and board of estimate and apportionment in respect thereto."

Said bill having been announced for a second reading,

On motion of Mr. A. E. Smith, said bill was recommitted to the committee on rules.

Mr. Speaker announced the special order, being the Senate bill (No. 1937, Rec. No. 406), entitled "An act to grant to the city of Geneva all the interest of the people of the State of New York in certain lands under the waters or partly under the waters of Seneca lake."

Said bill having been announced,

Mr. Cosad moved to amend as follows:

Page 2, line 23, after the period insert in italics the following: "The lands hereby conveyed shall be used only for public park purposes or other similar purposes."

Debate was had thereon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 22

NOES 57

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|------------|-------------|-----------|
| Brace | Cosad | Hoyt | Miller | Smith A E |
| Brennan | Drummond | Jackson | Moneczynski | Terry |
| Bridenbecker | Goldberg | McCue | Patrie | Weil |
| Caughlan | Gould | McElligott | Shortt | Wheeler |
| Chanler | Hackett | | | |

Those who voted in the negative were:

| | | | | |
|-------------|-------------|-------------|--------------|-----------|
| Adler | Donnelly | Hammond | McKeon | Spielberg |
| Baumes | Donovan | Herrick W R | Merritt | Stivers |
| Brown | Egan | Heyman | Murray | Sullivan |
| Bryant | Farrell | Higgins | Neupert | Sweet |
| Bush | Fay | Hoey | Nolan | Thorn |
| Butler | Fitzpatrick | Hoff | Oliver | Waring |
| Carew | Gerhardt | Jameson | Parker A | Wende |
| Cheney | Goodman | Keys | Phillips C W | Wilson |
| Coffey | Goodwin | Levy J | Phillips J S | Yale |
| Collin | Gregg | MacGregor | Shepardson | Yeomans |
| Colné | Gurnett | McDaniels | Smith T K | Young |
| Constantine | Haines | | | |

On motion of Mr. Wilson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 84

NOES 10

Those who voted in the affirmative were:

| | | | | |
|----------|-------------|-----------|--------------|-----------|
| Adler | Constantine | Hammond | Manley | Smith T K |
| Baumes | Dawson | Hart | McCue | Spielberg |
| Blauvelt | Donnelly | Hearn | McDaniels | Stivers |
| Boylan | Donovan | Heyman | McKeon | Sweet |
| Brennan | Ebbetts | Higgins | Merritt | Thorn |
| Brooks | Egan | Hoey | Monczynski | Trombly |
| Brown | Fay | Hoff | Murray | Turley |
| Bryant | Filley | Huber | Myers | Ward |
| Bush | Fitzpatrick | Jackson | Neupert | Waring |
| Butler | Gerhardt | Jameson | Nolan | Washburn |
| Carew | Goldberg | Jones | Oliver | Weil |
| Caughlan | Goodman | Kennedy | O'Neil M A | Wende |
| Chanler | Goodwin | Keys | Parker A | Wilson |
| Cheney | Gregg | Lansing | Phillips C W | Yale |
| Coffey | Gurnett | Levy A J | Phillips J S | Yeomans |
| Collin | Hackett | Levy J | Seeley | Young |
| Colné | Haines | MacGregor | Shepardson | |

Those who voted in the negative were:

| | | | | |
|-------|------------|--------|--------|---------|
| Beach | Drummond | Miller | Shortt | Wheeler |
| Cosad | McElligott | Patrie | Terry | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1311, Rec. No. 375), entitled "An act to amend the Village Law, in relation to licensing occupations."

On motion of Mr. Baumes, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Beach | Day | Hart | McDaniels | Shortt |
| Blauvelt | Donnelly | Herrick J J | McElligott | Smith A E |
| Brace | Drummond | Herrick W R | McKeon | Stivers |
| Brennan | Egan | Heyman | Merritt | Sweet |
| Bridenbecker | Fay | Higgins | Monczynski | Terry |
| Brooks | Filley | Hoey | Mork | Thorn |
| Brown | Fitzpatrick | Huber | Murray | Trombly |
| Bryant | Foley | Jackson | Myers | Turley |
| Bush | Gerhardt | Jameson | Neupert | Ward |
| Butler | Gerken | Jones | Nolan | Warren |
| Carew | Gillen | Kennedy | Oliver | Washburn |
| Caughlan | Goldberg | Keys | O'Neil M A | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |
| Cheney | Goodwin | LaReau | Phillips C W | Wende |
| Collin | Gould | Levy A J | Phillips J S | Wheeler |
| Colné | Gregg | Levy J | Saunders | Wilson |
| Connell | Gurnett | MacGregor | Schifferdecker | Yale |
| Constantine | Hackett | Manley | Seeley | Yeomans |
| Cosad | Haines | Martin | Shepardson | Young |
| Cuvillier | Hammond | McCue | Shlivek | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1760, Int. No. 1476), entitled "An act to amend the Lien Law, in relation to mechanic's liens."

On motion of Mr. Monczynski, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 99

NOES 2

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Beach | Dawson | Hammond | McCue | Shortt |
| Blauvelt | Day | Hart | McDaniels | Smith A E |
| Brace | Donnelly | Herrick J J | McElligott | Stivers |
| Brennan | Drummond | Herrick W R | McKeon | Sweet |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Bridenbecker | Egan | Heyman | Merritt | Terry |
| Brooks | Fay | Higgins | Monczynski | Thorn |
| Brown | Filley | Hoey | Mork | Trombly |
| B yant | Fitzpatrick | Huber | Myers | Turley |
| Bush | Foley | Jackson | Neupert | Warren |
| Butler | Gerhardt | Jameson | Nolan | Washburn |
| Carew | Gerken | Jones | Oliver | Waters F A |
| Caughlan | Gillen | Kennedy | O'Neil M A | Weil |
| Chanler | Goldberg | Keys | Patrie | Wende |
| Cheney | Goldstein | Lansing | Phillips C W | Wheeler |
| Collin | Goodwin | LaReau | Phillips J S | Wilson |
| Colné | Gould | Levy A J | Saunders | Yale |
| Connell | Gregg | Levy J | Schifferdecker | Yeomans |
| Constantine | Gurnett | MacGregor | Seeley | Young |
| Cosad | Hackett | Manley | Shepardson | Zorn |
| Cuvillier | Haines | Martin | Shlivek | |

Those who voted in the negative were:

Murray Ward

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1995, Int. No. 1638), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section nine of article eight of the Constitution, in relation to the health, safety, compensation for injuries, insurance against accidents and welfare of employees."

On motion of Mr. Jackson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 114

NOES 8

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|-------------|------------|-----------|
| Adler | Dawson | Hart | McCue | Shlivek |
| Baumes | Day | Hearn | McDaniels | Shortt |
| Beach | Donnelly | Herrick J J | McElligott | Smith A E |
| Blauvelt | Donovan | Herrick W R | McKeon | Smith T K |
| Boylan | Drummond | Heyman | Miller | Spielberg |
| Brace | Egan | Higgins | Monczynski | Stivers |
| Brennan | Evans | Hoey | Mork | Sweet |
| Bridenbecker | Farrell | Hoff | Myers | Terry |

| | | | | |
|-------------|-------------|-----------|----------------|------------|
| Brooks | Fay | Hollmann | Neupert | Thorn |
| Brown | Filley | Hoyt | Nolan | Trombly |
| Bryant | Fitzpatrick | Huber | Oliver | Turley |
| Bush | Foley | Jackson | O'Neill J J | Waring |
| Butler | Gerhardt | Jameson | O'Neil M A | Warren |
| Carew | Gillen | Jones | Parker A | Washburn |
| Caughlan | Goldstein | Kennedy | Parker J S | Waters F A |
| Chanler | Goodman | Keys | Phillips C W | Weil |
| Cheney | Gould | Lansing | Phillips J S | Wende |
| Coffey | Graubard | LaReau | Pierce | Wheeler |
| Collin | Gregg | Lent | Saunders | Wilson |
| Colné | Gurnett | Levy J | Schifferdecker | Yale |
| Constantine | Hackett | MacGregor | Seeley | Yeomans |
| Cosad | Haines | Manley | Shannon | Zorn |
| Cuvillier | Hammond | Martin | Shepardson | |

Those who voted in the negative were:

| | | | | |
|---------|----------|--------|------|-------|
| Ebbetts | Levy A J | Murray | Ward | Young |
| Goodwin | Meiritt | Patrie | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 2080, Rec. No. 511), entitled "An act to amend the Code of Civil Procedure, with reference to applications for an order."

On motion of Mr. Foley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least one calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|------------|------------|
| Beach | Day | Hart | McDaniels | Shortt |
| Blauvelt | Donnelly | Herrick J J | McElligott | Smith A E |
| Brace | Drummond | Herrick W R | McKeon | Spielberg |
| Brennan | Egan | Heyman | Merritt | Sweet |
| Bridenbecker | Farrell | Higgins | Monczynski | Terry |
| Brooks | Filley | Hoey | Mork | Thorn |
| Brown | Fitzpatrick | Huber | Murray | Trombly |
| Bryant | Foley | Jackson | Myers | Turley |
| Bush | Gerhardt | Jameson | Neupert | Ward |
| Butler | Gerken | Jones | Nolan | Warren |
| Carew | Gillen | Kennedy | Oliver | Washburn |
| Caughlan | Goldberg | Keys | O'Neil M A | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |

| | | | | |
|-------------|---------|-----------|----------------|---------|
| Cheney | Goodwin | LaReau | Phillips C W | Wende |
| Collin | Gould | Levy A J | Phillips J S | Wheeler |
| Colné | Gregg | Levy J | Saunders | Wilson |
| Connell | Gurnett | MacGregor | Schifferdecker | Yale |
| Constantine | Hackett | Manley | Seeley | Yeomans |
| Cosad | Haines | Martin | Shepardson | Young |
| Cuvillier | Hammond | McCue | Shlivek | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2595, Int. No. 1857), entitled "An act to amend the Tenement-House Law, generally."

On motion of Mr. Foley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Heain | McEnigott | Shlivek |
| Baumes | Donovan | Herrick J J | McKeon | Shortt |
| Beach | Drummond | Herrick W R | Merritt | Smith A E |
| Blauvelt | Ebbetts | Heyman | Miller | Smith T K |
| Boylan | Egan | Higgins | Monczynski | Spielberg |
| Brace | Evans | Hoev | Mork | Stivers |
| Brennan | Farrell | Hoff | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Myers | Terry |
| Brooks | Filley | Hoyt | Neupert | Thorn |
| Brown | Fitzpatrick | Huber | Nolan | Trombly |
| Bryant | Foley | Jackson | Oliver | Turley |
| Bush | Gerhardt | Jameson | O'Neill J J | Ward |
| Butler | Gillen | Jones | O'Neil MA | Waring |
| Carew | Goldberg | Kennedy | Parker A | Warren |
| Caughlan | Goldstein | Keys | Parker J S | Washburn |
| Chanler | Goodman | Lansing | Patrie | Waters F A |
| Cheney | Goodwin | LaReau | Phillips C W | Weil |
| Coffey | Gould | Levy A J | Phillips J S | Wende |
| Collin | Graubard | Levy J | Pierce | Wheeler |
| Colné | Gregg | MacGregor | Saunders | Wilson |
| Constantine | Gurnett | Manley | Schifferdecker | Yale |
| Cosad | Hackett | Martin | Seeley | Yeomans |
| Cuvillier | Haines | McCue | Shannon | Young |
| Dawson | Hammond | McDaniels | Shepardson | Zorn |
| Day | Hart | | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1308, Assembly Reprint No. 2593, Rec. No. 432), entitled "An act to amend the General Business Law, constituting chapter twenty of the Consolidated Laws, in relation to the operation of the cinematograph or any other apparatus for projecting moving pictures."

On motion of Mr. Foley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 95

NOES 6

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Beach | Donnelly | Hart | McDaniels | Shortt |
| Blauvelt | Drummond | Herrick J J | McElligott | Smith A E. |
| Brace | Egan | Herrick W R | McKeon | Spielberg |
| Brennan | Fay | Heyman | Merritt | Stivers |
| Bridenbecker | Filley | Hoey | Monezynski | Sweet |
| Brooks | Fitzpatrick | Huber | Mork | Terry |
| Brown | Foley | Jackson | Myers | Thorn |
| Bryant | Gerhardt | Jameson | Neupert | Trombly |
| Bush | Gerken | Jones | Nolan | Turley |
| Butler | Gillen | Kennedy | Oliver | Warren |
| Carew | Goldberg | Keys | O'Neil M A | Washburn |
| Caughlan | Goldstein | Lansing | Patrie | Waters F A |
| Chanler | Goodwin | LaReau | Phillips C W | Weil |
| Cheney | Gould | Levy A J | Phillips J S | Wheeler |
| Coffey | Gregg | Levy J | Saunders | Wilson |
| Connell | Gurnett | MacGregor | Schifferdecker | Yale |
| Constantine | Hackett | Manley | Seeley | Yeomans |
| Cosad | Haines | Martin | Shepardson | Young |
| Cuvillier | Hammond | McCue | Shlivek | Zorn |
| Dawson | | | | |

Those who voted in the negative were:

| | | | | |
|-------|---------|--------|------|-------|
| Colné | Higgins | Murray | Ward | Wende |
| Day | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the bill (No. 2581, Int. No. 1786), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' generally."

On motion of Mr. A. Parker, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 99

NOES 2

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Beach | Dawson | Hammond | McCue | Shortt |
| Blauvelt | Day | Hart | McDaniels | Smith A E |
| Brace | Donnelly | Hearn | McElligott | Stivers |
| Brennan | Drummond | Herrick W R | McKeon | Sweet |
| Bridenbecker | Egan | Heyman | Merritt | Terry |
| Brooks | Fay | Higgins | Monczynski | Thorn |
| Brown | Filley | Hoey | Mork | Trombly |
| Bryant | Fitzpatrick | Huber | Myers | Turley |
| Bush | Foley | Jackson | Neupert | Warren |
| Butler | Gerhardt | Jameson | Nolan | Washburn |
| Carew | Gerken | Jones | Oliver | Waters F A |
| Caughlan | Gillen | Kennedy | O'Neil M A | Weil |
| Chanler | Goldberg | Keys | Patrie | Wende |
| Cheney | Goldstein | Lansing | Phillips C W | Wheeler |
| Collin | Goodwin | LaReau | Phillips J S | Wilson |
| Colné | Gould | Levy A J | Saunders | Yale |
| Connell | Gregg | Levy J | Schifferdecker | Yeomans |
| Constantine | Gurnett | MacGregor | Seeley | Young |
| Cosad | Hackett | Manley | Shepardson | Zorn |
| Cuvillier | Ha'nes | Martin | Shlivek | |

Those who voted in the negative were:

Murray Ward

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 2072, Rec. No. 532), entitled "An act to amend the General City Law, in relation to license to operate moving picture apparatus."

Said bill having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Wednesday next.

Mr. Speaker announced the special order, being the bill (No. 2589, Int. No. 1258), entitled "An act to amend the Tenement-House Law, in relation to lighting and ventilation of rooms."

On motion of Mr. Foley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donovan | Herrick J J | McElligott | Shlivek |
| Baumes | Drummond | Herrick W R | McKeon | Shortt |
| Beach | Ebbetts | Heyman | Merritt | Smith A E |
| Blauvelt | Egan | Higgins | Miller | Smith T K |
| Boylan | Evans | Hoey | Monczynski | Spielberg |
| Brace | Farrell | Hoff | Mork | Stivers |
| Brennan | Fay | Hollmann | Murray | Sweet |
| Bridenbecker | Filley | Hoyt | Myers | Terry |
| Brooks | Fitzpatrick | Huber | Neupert | Thorn |
| Brown | Foley | Jackson | Nolan | Trombly |
| Bryant | Gerhardt | Jameson | Oliver | Turley |
| Bush | Gillen | Jones | O'Neill J J | Ward |
| Butler | Goldstein | Kennedy | O'Neil M A | Waring |
| Carson | Goodman | Keys | Parker A | Warren |
| Coughlan | Goodwin | Lansing | Parker J S | Washburn |
| Chanler | Gould | LaReau | Patrie | Waters F A |
| Cheney | Graubard | Lent | Phillips C W | Weil |
| Coffey | Gregg | Levy A J | Phillips J S | Wende |
| Collin | Gurnett | Levy J | Pierce | Wheeler |
| Constantine | Hackett | MacGregor | Saunders | Wilson |
| Cosad | Haines | Manley | Schifferdecker | Yale |
| Cuvillier | Hammond | Martin | Seeley | Yeomans |
| Dawson | Hart | McCue | Shannon | Young |
| Day | Hearn | McDaniels | Shepardson | Zorn |
| Donnelly | | | | |

In the negative:

Colné

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1856, Assembly Reprint No. 2582, Rec. No. 343), entitled "An act to amend the Penal Law, in relation to false or misleading advertisements or statements as to or in connection with the sale of real estate."

On motion of Mr. Shortt, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Hearn | McElligott | Shlivek |
| Baumes | Donovan | Herrick J J | McKeon | Shortt |
| Beach | Drummond | Herrick W R | Merritt | Smith A E |
| Blauvelt | Ebbetts | Heyman | Miller | Smith T K |
| Boylan | Egan | Higgins | Monczynski | Spielberg |
| Brace | Evans | Hoey | Mork | Stivers |
| Brennan | Farrell | Hoff | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Myers | Terry |
| Brooks | Filley | Hoyt | Neupert | Thorn |
| Brown | Fitzpatrick | Huber | Nolan | Trombly |
| Bryant | Foley | Jackson | Oliver | Turley |
| Bush | Gerhardt | Jameson | O'Neill J J | Ward |
| Butler | Gillen | Jones | O'Neil M A | Waring |
| Carew | Goldberg | Kennedy | Parker A | Warren |
| Caughlan | Goldstein | Keys | Parker J S | Washburn |
| Chanler | Goodman | Lansing | Patrie | Waters F A |
| Cheney | Goodwin | LaReau | Phillips C W | Weil |
| Coffey | Gould | Lent | Phillips J S | Wende |
| Collin | Graubard | Levy A J | Pierce | Wheeler |
| Colné | Gregg | Levy J | Saunders | Wilson |
| Constantine | Gurnett | MacGregor | Schifferdecker | Yale |
| Cosad | Hackett | Manley | Seeley | Yeomans |
| Cuvillier | Haines | Martin | Shannon | Young |
| Dawson | Hammond | McCue | Shepardson | Zorn |
| Day | Hart | McDaniels | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the bill (No. 1835, Int. No. 494), entitled "An act to amend the Tax Law, in

relation to ascertaining value of special franchises and equalization thereof, powers of State Board of Tax Commissioners, and review of assessments."

On motion of Mr. Goldberg, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Beach | Day | Hart | McDaniels | Shortt |
| Blauvelt | Donnelly | Herrick J J | McElligott | Smith A E |
| Brace | Drummond | Herrick W R | McKeon | Stivers |
| Brennan | Egan | Heyman | Merritt | Sweet |
| Bridenbecker | Fay | Higgins | Monczynski | Terry |
| Brooks | Filley | Hoey | Mork | Thorn |
| Brown | Fitzpatrick | Huber | Murray | Trombly |
| Bryant | Foley | Jackson | Myers | Turley |
| Bush | Gerhardt | Jameson | Neupert | Ward |
| Butler | Gerken | Jones | Nolan | Warren |
| Carew | Gillen | Kennedy | Oliver | Washburn |
| Caughlan | Goldberg | Keys | O'Neill J J | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |
| Cheney | Goodwin | LaReau | Phillips C W | Wende |
| Collin | Gould | Levy A J | Phillips J S | Wheeler |
| Colne | Gregg | Levy J | Saunders | Wilson |
| Connell | Gurnett | MacGregor | Schifferdecker | Yale |
| Constantine | Hackett | Manley | Seeley | Yeomans |
| Cosad | Haines | Martin | Shepardson | Young |
| Cuvillier | Hammond | McCue | Shlivek | Zorn |
| Dawson | | | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1750, Int. No. 1466), entitled "An act making an appropriation to relieve the town of Lumberland in the county of Sullivan from the cost of construction of a free bridge over the Delaware river at Pond Eddy, heretofore constructed by said town, and to provide funds for the payment of its bonds issued therefor."

On motion of Mr. Evans, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 100

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Beach | Dawson | Hammond | McCue | Shortt |
| Blauvelt | Day | Hart | McDaniels | Smith A E |
| Brace | Donnelly | Herrick J J | McElligott | Stivers |
| Brennan | Drummond | Herrick W R | McKeon | Sweet |
| Bridenbecker | Egan | Heyman | Merritt | Terry |
| Brooks | Fay | Higgins | Monczynski | Thorn |
| Brown | Fillely | Hoey | Mork | Trombly |
| Bryant | Fitzpatrick | Huber | Murray | Turley |
| Bush | Foley | Jackson | Myers | Ward |
| Butler | Gerhardt | Jameson | Neupert | Warren |
| Carew | Gerken | Jones | Nolan | Washburn |
| Caughlan | Gillen | Kennedy | Oliver | Waters F A |
| Chanler | Goldberg | Keys | O'Neil M A | Weil |
| Cheney | Goldstein | Lansing | Patrie | Wende |
| Collin | Goodwin | LaReau | Phillips C W | Wheeler |
| Colné | Gould | Levy A J | Saunders | Wilson |
| Connell | Gregg | Levy J | Schifferdecker | Yale |
| Constantine | Gurnett | MacGregor | Seeley | Yeomans |
| Cosad | Hackett | Manley | Shepardson | Young |
| Cuvillier | Haines | Martin | Shlivek | Zorn |

In the negative were:

Phillips J S

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2599, Int. No. 331), entitled "An act to amend the Penal Law, in relation to the sale and possession of weapons and explosives, and to impose taxes in respect thereto."

On motion of Mr. Ward, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Herrick J J | McElligott | Shlivek |
| Baumes | Donovan | Herrick W R | McKeon | Shortt |
| Beach | Drummond | Heyman | Merritt | Smith A E |
| Blauvelt | Ebbetts | Higgins | Miller | Smith T K |
| Boylan | Egan | Hoey | Monczynski | Spielberg |
| Brace | Evans | Hoff | Mork | Stivers |
| Brennan | Farrell | Hollmann | Murray | Sweet |
| Bridenbecker | Fay | Hoyt | Myers | Terry |
| Brooks | Filley | Huber | Neupert | Thorn |
| Brown | Fitzpatrick | Jackson | Nolan | Trombly |
| Bryant | Foley | Jameson | Oliver | Turley |
| Bush | Gerhardt | Jones | O'Neill J J | Ward |
| Butler | Gillen | Kennedy | O'Neil M A | Waring |
| Carew | Goldstein | Keys | Parker A | Warren |
| Caughlan | Goodman | Lansing | Parker J S | Washburn |
| Chanler | Goodwin | LaReau | Patrie | Waters F A |
| Cheney | Gould | Lent | Phillips C W | Weil |
| Coffey | Graubard | Levy A J | Phillips J S | Wende |
| Collin | Gregg | Levy J | Pierce | Wheeler |
| Colné | Gurnett | MacGregor | Saunders | Wilson |
| Constantine | Hackett | Manley | Schifferdecker | Yale |
| Cosad | Haines | Martin | Seeley | Yeomans |
| Cuvillier | Hammond | McCue | Shannon | Young |
| Dawson | Hart | McDaniels | Shepardson | Zorn |
| Day | Hearn | | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1466, Int. No. 1238), entitled "An act to provide for the repair of the dock at Willard, Seneca county, used by the Willard State Hospital, and making an appropriation therefor."

On motion of Mr. Cosad, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Beach | Day | Hart | McDaniels | Shortt |
| Blauvelt | Donnelly | Herrick J J | McElligott | Smith A E |
| Brace | Drummond | Herrick W R | McKeon | Stivers |
| Brennan | Egan | Heyman | Merritt | Sweet |
| Bridenbecker | Fay | Higgins | Monczynski | Terry |
| Brooks | Filley | Hoey | Mork | Thorn |
| Brown | Fitzpatrick | Huber | Murray | Trombly |
| Bryant | Foley | Jackson | Myers | Turley |
| Bush | Gerhardt | Jameson | Neupert | Ward |
| Butler | Gerken | Jones | Nolan | Warren |
| Carew | Gillen | Kennedy | Oliver | Washburn |
| Caughlan | Goldberg | Keys | O'Neil M A | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |
| Cheney | Goodwin | LaReau | Phillips C W | Wende |
| Collin | Gould | Levy A J | Phillips J S | Wheeler |
| Colné | Gregg | Levy J | Saunders | Wilson |
| Connell | Gurnett | MacGregor | Schifferdecker | Yale |
| Constantine | Hackett | Manley | Seeley | Yeomans |
| Cosad | Haines | Martin | Shepardson | Young |
| Cuvillier | Hammond | McCue | Shlivek | Zorn |
| Dawson | | | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1930, Int. No. 1591), entitled "An act to amend the Education Law, relative to the establishment of county libraries, and contracts by boards of supervisors with public libraries."

On motion of Mr. Patrie, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|-------------|------------|-----------|
| Beach | Dav | Hart | McDaniels | Shortt |
| Blauvelt | Donnelly | Herrick J J | McElligott | Smith A E |
| Brace | Drummond | Herrick W R | McKeon | Stivers |
| Brennan | Egan | Heyman | Merritt | Sweet |
| Bridenbecker | Fay | Higgins | Monczynski | Terry |

| | | | | |
|-------------|-------------|-----------|----------------|------------|
| Brooks | Filley | Hoey | Mork | Thorn |
| Brown | Fitzpatrick | Huber | Murray | Trombly |
| Bryant | Foley | Jackson | Myers | Turley |
| Bush | Gerhardt | Jameson | Neupert | Ward |
| Butler | Gerken | Jones | Nolan | Warren |
| Carew | Gillen | Kennedy | Oliver | Washburn |
| Caughlan | Goldberg | Keys | O'Neil M A | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |
| Cheney | Goodwin | LaReau | Phillips C W | Wende |
| Collin | Gould | Levy A J | Phillips J S | Wheeler |
| Colné | Gregg | Levy J | Saunders | Wilson |
| Connell | Gurnett | MacGregor | Schifferdecker | Yale |
| Constantine | Hackett | Manley | Seeley | Yeomans |
| Cosad | Haines | Martin | Shepardson | Young |
| Cuvillier | Hammond | McCue | Shlivek | Zorn |
| Dawson | | | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1880, Rec. No. 540), entitled "An act to amend the Tax Law, by adding article fifteen, relating to taxation of secured debts."

Said bill having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, bill was ordered placed on the second and third reading calendar for Wednesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 2097, Rec. No. 533), entitled "An act to amend the Tax Law, in relation to taxable transfers."

Said bill having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Wednesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 1482, Rec. No. 552), entitled "An act to amend section one hundred of the Insurance Law, extending the time within which certain stocks and bonds mentioned therein and now owned by certain life insurance corporations must be sold."

On motion of Mr. Hoey, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Hearn | McDaniels | Shlivek |
| Baumes | Donovan | Herrick J J | McElligott | Shortt |
| Beach | Drummond | Herrick W R | McKeon | Smith A E |
| Blauvelt | Ebbetts | Heyman | Merritt | Smith T K |
| Boylan | Egan | Higgins | Miller | Spielberg |
| Brace | Evans | Hoey | Monczynski | Stivers |
| Brennan | Farrell | Hoff | Mork | Sweet |
| Bridenbecker | Fay | Hollmann | Myers | Terry |
| Brooks | Filley | Hoyt | Neupert | Thorn |
| Brown | Fitzpatrick | Huber | Nolan | Trombly |
| Bryant | Foley | Jackson | Oliver | Turley |
| Bush | Gerhardt | Jameson | O'Neill J J | Ward |
| Butler | Gillen | Jones | O'Neil M A | Waring |
| Carew | Goldberg | Kennedy | Parker A | Warren |
| Caughlan | Goldstein | Keys | Parker J S | Washburn |
| Chanler | Goodman | Lansing | Patrie | Waters F A |
| Cheney | Goodwin | LaReau | Phillips C W | Weil |
| Coffey | Gould | Lent | Phillips J S | Wende |
| Collin | Graubard | Levy A J | Pierce | Wheeler |
| Colné | Gregg | Levy J | Saunders | Wilson |
| Constantine | Gurnett | MacGregor | Schifferdecker | Yale |
| Cosad | Hackett | Manley | Seeley | Yeomans |
| Cuvillier | Haines | Martin | Shannon | Young |
| Dawson | Hammond | McCue | Shepardson | Zorn |
| Day | Hart | | | |

In the negative:

Murray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2128, Rec. No. 559), entitled "An act making an appropriation to expedite the building of certain portions of State route number four."

On motion of Mr. Cheney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Hearn | McElligott | Shlivek |
| Baumes | Donovan | Herrick J J | McKeon | Shortt |
| Beach | Drummond | Herrick W R | Merritt | Smith A E |
| Blauvelt | Ebbetts | Heyman | Miller | Smith T K |
| Boylan | Egan | Higgins | Monezynski | Spielberg |
| Brace | Evans | Hoey | Mork | Stivers |
| Brennan | Farrell | Hoff | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Myers | Terry |
| Brooks | Filley | Hoyt | Neupert | Thorn |
| Brown | Fitzpatrick | Huber | Nolan | Trombly |
| Bryant | Foley | Jackson | Oliver | Turley |
| Bush | Gerhardt | Jameson | O'Neill J J | Ward |
| Butler | Gillen | Jones | O'Neil M A | Waring |
| Carew | Goldberg | Kennedy | Parker A | Warren |
| Caughlan | Goldstein | Keys | Parker J S | Washburn |
| Chanler | Goodman | Lansing | Patrie | Waters F A |
| Cheney | Goodwin | LaReau | Phillips C W | Weil |
| Coffey | Gould | Lent | Phillips J S | Wende |
| Collin | Graubard | Levy A J | Pierce | Wheeler |
| Colné | Gregg | Levy J | Saunders | Wilson |
| Constantine | Gurnett | MacGregor | Schifferdecker | Yale |
| Cosad | Hackett | Manley | Seeley | Yeomans |
| Cuvillier | Haines | Martin | Shannon | Young |
| Dawson | Hammond | McCue | Shepardson | Zorn |
| Day | Hart | McDaniels | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1309, Rec. No. 394), entitled "An act to amend the Tax Law, in relation to the revision and readjustment of accounts by Comptroller."

On motion of Mr. Gerhardt, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------------|------------|
| Beach | Day | Hart | McDaniels | Shortt |
| Blauvelt | Donnelly | Herrick J J | McElligott | Smith A E |
| Brace | Drummond | Herrick W R | McKeo ¹ | Stivers |
| Brennan | Egan | Heyman | Merritt | Sweet |
| Bridenbecker | Fay | Higgins | Monczynski | Terry |
| Brooks | Filley | Hoey | Mork | Thorn |
| Brown | Fitzpatrick | Huber | Murray | Trombly |
| Bryant | Foley | Jackson | Myers | Turley |
| Bush | Gerhardt | Jameson | Neupert | Ward |
| Butler | Gerken | Jones | Nolan | Warren |
| Carew | Gillen | Kennedy | Oliver | Washburn |
| Caughlan | Goldberg | Keys | O'Neil M A | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |
| Cheney | Goodwin | LaReau | Phillips C W | Wende |
| Collin | Gould | Levy A J | Phillips J S | Wheeler |
| Colné | Gregg | Levy J | Saunders | Wilson |
| Connell | Gurnett | MacGregor | Schifferdecker | Yale |
| Constantine | Hackett | Manley | Seeley | Yeomans |
| Cosad | Haines | Martin | Shepardson | Young |
| Cuvillier | Hammond | McCue | Shlivek | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 292, Rec. No. 185), entitled "An act to amend the Railroad Law, in relation to the number of the crew required for operating certain locomotive engines."

Said bill having been announced for a second reading,

On motion of Mr. Jackson, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Wednesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 1963, Rec. No. 451), entitled "An act to better protect dependent wives, children and poor relatives and to declare them the primary beneficiaries of sums of money and any property awarded for their maintenance and support by any court, judge, magistrate, police justice, justice of the peace or judicial officer in this State."

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Beach | Day | Hart | McDaniels | Shortt |
| Blauvelt | Donnelly | Herrick J J | McElligott | Smith A E |
| Brace | Drummond | Herrick W R | McKeon | Stivers |
| Brennan | Egan | Heyman | Merritt | Sweet |
| Bridenbecker | Fay | Higgins | Monczynski | Terry |
| Brooks | Filley | Hoey | Mork | Thorn |
| Brown | Fitzpatrick | Huber | Murray | Trombly |
| Bryant | Foley | Jackson | Myers | Turley |
| Bush | Gerhardt | Jameson | Neupert | Ward |
| Butler | Gerken | Jones | Nolan | Warren |
| Carew | Gillen | Kennedy | Oliver | Washburn |
| Caughlan | Goldberg | Keys | O'Neil M A | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |
| Cheney | Goodwin | LaReau | Phillips C W | Wende |
| Collin | Gould | Levy A J | Phillips J S | Wheeler |
| Colné | Gregg | Levy J | Saunders | Wilson |
| Connell | Gurnett | MacGregor | Schifferdecker | Yale |
| Constantine | Hackett | Manley | Seeley | Yeomans |
| Cosad | Haines | Martin | Shepardson | Young |
| Cuvillier | Hammond | McCue | Shlivek | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2081, Rec. No. 560), entitled "An act to amend the Judiciary Law, in relation to the appointment and compensation of official referees by the Appellate Division of the Supreme Court in the first department."

Said bill having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Wednesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 1476, Rec. No. 377), entitled "An act to provide for the construction of a boulevard and viaduct in the county of Albany,

connecting the 'stone road' so-called in the town of Bethlehem in said county with Delaware avenue in the city of Albany, and making an appropriation therefor."

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Baumes | Donovan | Herrick J J | McElligott | Shlivek |
| Beach | Drummond | Herrick W R | McKeon | Shortt |
| Blauvelt | Ebbetts | Heyman | Merritt | Smith A E |
| Boylan | Egan | Higgins | Miller | Smith T K |
| Brace | Evans | Hoey | Monczynski | Spielberg |
| Brennan | Farrell | Hoff | Mork | Stivers |
| Bridenbecker | Fay | Hollmann | Murray | Sweet |
| Brooks | Filley | Hoyt | Myers | Terry |
| Brown | Fitzpatrick | Huber | Neupert | Thorn |
| Bryant | Foley | Jackson | Nolan | Trombly |
| Bush | Gerhardt | Jameson | Oliver | Turley |
| Butler | Gillen | Jones | O'Neill J J | Ward |
| Carew | Goldberg | Kennedy | O'Neil M A | Waring |
| Caughlan | Goldstein | Keys | Parker A | Warren |
| Chanler | Goodman | Lansing | Parker J S | Washburn |
| Cheney | Goodwin | LaReau | Patrie | Waters F A |
| Coffey | Gould | Lent | Phillips C W | Weil |
| Collin | Graubard | Levy A J | Phillips J S | Wende |
| Colné | Gregg | Levy J | Pierce | Wheeler |
| Constantine | Gurnett | MacGregor | Saunders | Wilson |
| Cosad | Hackett | Manley | Schifferdecker | Yale |
| Cuvillier | Haines | Martin | Seeley | Yeomans |
| Dawson | Hammond | McCue | Shannon | Young |
| Day | Hart | McDaniels | Shepardson | Zorn |
| Donnelly | Hearn | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2106, Rec. No. 562), entitled "An act authorizing the city of Buffalo to purchase land outside the limits of said city to be

used as a nursery for raising trees and shrubbery for the park department of said city, and for planting trees in the streets of said city."

On motion of Mr. Jackson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Beach | Day | Herrick J J | McElligott | Shortt |
| Blauvelt | Donnelly | Herrick W R | McKeon | Smith A E |
| Brace | Drummond | Heyman | Merritt | Stivers |
| Brennan | Egan | Higgins | Monezynski | Sweet |
| Bridenbecker | Fay | Hoey | Mork | Terry |
| Brooks | Filley | Huber | Murray | Thorn |
| Brown | Fitzpatrick | Jackson | Myers | Trombly |
| Bryant | Foley | Jameson | Neupert | Turley |
| Bush | Gerhardt | Jones | Nolan | Ward |
| Butler | Gerken | Kennedy | Oliver | Warren |
| Carew | Gillen | Keys | O'Neil M A | Washburn |
| Caughlan | Goldstein | Lansing | Patrie | Waters F A |
| Chanler | Goodwin | LaReau | Phillips C W | Weil |
| Cheney | Gould | Levy A J | Phillips J S | Wende |
| Collin | Gregg | Levy J | Pierce | Wheeler |
| Colné | Gurnett | MacGregor | Saunders | Wilson |
| Connell | Hackett | Manley | Schifferdecker | Yale |
| Constantine | Haines | Martin | Seeley | Yeomans |
| Cosad | Hammond | McCue | Shepardson | Young |
| Cuvillier | Hart | McDaniels | Shlivek | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1551, Rec. No. 453), entitled "An act to amend the Code of Civil Procedure, in relation to sureties."

On motion of Mr. M. A. O'Neil, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Hearn | McElligott | Shlivek |
| Baumes | Donovan | Herrick J J | McKeon | Shortt |
| Beach | Drummond | Herrick W R | Merritt | Smith A E |
| Blauvelt | Ebbetts | Heyman | Miller | Smith T K |
| Boylan | Egan | Higgins | Monczynski | Spielberg |
| Brace | Evans | Hoey | Mork | Stivers |
| Brennan | Farrell | Hoff | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Myers | Terry |
| Brooks | Filley | Hoyt | Neupert | Thorn |
| Brown | Fitzpatrick | Huber | No'an | Trombly |
| Bryant | Foley | Jackson | Oliver | Turley |
| Bush | Gerhardt | Jameson | O'Neill J J | Ward |
| Butler | Gillen | Jones | O'Neil M A | Waring |
| Carew | Goldberg | Kennedy | Parker A | Warren |
| Caughlan | Goldstein | Keys | Parker J S | Washburn |
| Chanler | Goodman | Lansing | Patrie | Waters F A |
| Cheney | Goodwin | LaReau | Phillips C W | Weil |
| Coffey | Gould | Lent | Phillips J S | Wende |
| Collin | Graubard | Levy A J | Pierce | Wheeler |
| Colné | Gregg | Levy J | Saunders | Wilson |
| Constantine | Gurnett | MacGregor | Schifferdecker | Yale |
| Cosad | Hackett | Manley | Seeley | Yeomans |
| Cuvillier | Haines | Martin | Shannon | Youngs |
| Dawson | Hammond | McCue | Shepardson | Zorn |
| Day | Hart | McDaniels | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2079, Rec. No. 557), entitled "An act to amend section eight hundred and thirty of the Code of Civil Procedure, in relation to the testimony of a party or a witness since deceased or insane or who, being a nonresident, has departed from the State."

On motion of Mr. Foley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Beach | Day | Hart | McDaniels | Shortt |
| Blauvelt | Donnelly | Herrick J J | McElligott | Smith A E |
| Brace | Drummond | Herrick W R | McKeon | Stivers |
| Brennan | Egan | Heyman | Merritt | Sweet |
| Bridenbecker | Fay | Higgins | Monczynski | Terry |
| Brooks | Filley | Hoey | Mork | Thorn |
| Brown | Fitzpatrick | Huber | Murray | Trombly |
| Bryant | Foley | Jackson | Myers | Turley |
| Bush | Gerhardt | Jameson | Neupert | Ward |
| Butler | Gerken | Jones | Nolan | Warren |
| Carew | Gillen | Kennedy | Oliver | Washburn |
| Caughlan | Goldberg | Keys | O'Neil M A | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |
| Cheney | Goodwin | LaReau | Phillips C W | Wende |
| Collin | Gould | Levy A J | Phillips J S | Wheeler |
| Colne | Gregg | Levy J | Saunders | Wilson |
| Connell | Gurnett | MacGregor | Schifferdecker | Yale |
| Constantine | Hackett | Manley | Seeley | Yeomans |
| Cosad | Haines | Martin | Shepardson | Young |
| Cuvillier | Hammond | McCue | Shlivek | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2087, Rec. No. 549), entitled "An act in relation to the equalization of the salaries of clerks in grades six and seven of the district attorney's office in the county of New York."

On motion of Mr. Gerhardt, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 100

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Beach | Dawson | Hammond | McCue | Shortt |
| Blauvelt | Day | Hart | McDaniels | Smith A E |
| Brace | Donnelly | Herrick J J | McElligott | Stivers |
| Brennan | Drummond | Herrick W R | McKeon | Sweet |
| Bridenbecker | Egan | Heyman | Merritt | Terry |
| Brooks | Fay | Higgins | Monczynski | Thorn |
| Brown | Filley | Hoey | Mork | Trombly |
| Bryant | Fitzpatrick | Huber | Myers | Turley |
| Bush | Foley | Jackson | Neupert | Ward |
| Butler | Gerhardt | Jameson | Nolan | Warren |
| Carew | Gerken | Jones | Oliver | Washburn |
| Caughlan | Gillen | Kennedy | O'Neil M A | Waters F A |
| Chanler | Goldberg | Keys | Patrie | Weil |
| Cheney | Goldstein | Lansing | Phillips C W | Wende |
| Collin | Goodwin | LaReau | Phillips J S | Wheeler |
| Colné | Gould | Levy A J | Saunders | Wilson |
| Connell | Gregg | Levy J | Schifferdecker | Yale |
| Constantine | Gurnett | MacGregor | Seeley | Yeomans |
| Cosad | Hackett | Manley | Shepardson | Young |
| Cuvillier | Haines | Martin | Shlivek | Zorn |

In the negative:

Murray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2164, Rec. No. 544), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-two, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter one hundred and sixty-one of the Laws of eighteen hundred and ninety-seven, relating to the firemen's relief and pension fund."

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Beach | Day | Hart | McDaniels | Shortt |
| Blauvelt | Donnelly | Herrick J J | McElligott | Smith A E |
| Brace | Drummond | Herrick W R | McKeon | Stivers |
| Brennan | Evans | Heyman | Merritt | Sweet |
| Bridenbecker | Fay | Higgins | Monezynski | Terry |
| Brooks | Filley | Hoey | Mork | Thorn |
| Brown | Fitzpatrick | Huber | Murray | Trombly |
| Bryant | Foley | Jackson | Myers | Turley |
| Bush | Gerhardt | Jameson | Neupert | Ward |
| Butler | Gerken | Jones | Nolan | Warren |
| Carew | Gillen | Kennedy | Oliver | Washburn |
| Caughlan | Goldberg | Keys | O'Neil M A | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |
| Cheney | Goodwin | LaReau | Phillips C W | Wende |
| Collin | Gould | Levy A J | Phillips J S | Wheeler |
| Colné | Gregg | Levy J | Saunders | Wilson |
| Connell | Gurnett | MacGregor | Schifferdecker | Yale |
| Constantine | Hackett | Manley | Seeley | Yeomans |
| Cosad | Haines | Martin | Shepardson | Young |
| Cuvillier | Hammond | McCue | Shlivek | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1523, Assembly Reprint No. 2584, Rec. No. 302), entitled "An act to amend the Penal Law, in relation to penalties for violations of the Labor Law."

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|-------------|------------|-----------|
| Beach | Day | Hart | McDaniels | Shortt |
| Blauvelt | Donnelly | Herrick J J | McElligott | Smith A E |
| Brace | Drummond | Herrick W R | McKeon | Stivers |
| Brennan | Egan | Heyman | Merritt | Sweet |
| Bridenbecker | Fay | Higgins | Monezynski | Terry |

| | | | | |
|-------------|-------------|-----------|----------------|------------|
| Brooks | Filley | Hoey | Mork | Thorn |
| Brown | Fitzpatrick | Huber | Murray | Trombly |
| Bryant | Foley | Jackson | Myers | Turley |
| Bush | Gerhardt | Jameson | Neupert | Ward |
| Butler | Gerken | Jones | Nolan | Warren |
| Carew | Gillen | Kennedy | Oliver | Washburn |
| Caughlan | Goldberg | Keys | O'Neil M A | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |
| Cheney | Goodwin | LaReau | Phillips C W | Wende |
| Collin | Gould | Levy A J | Phillips J S | Wheeler |
| Colné | Gregg | Levy J | Saunders | Wilson |
| Connell | Gurnett | MacGregor | Schifferdecker | Yale |
| Constantine | Hackett | Manley | Seeley | Yeomans |
| Cosad | Haines | Martin | Shepardson | Young |
| Cuvillier | Hammond | McCue | Shlivek | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 2567, Int. No. 1123) entitled "An act to amend the Liquor Tax Law, in relation to obstructions in windows," having been announced for a third reading,

On motion of Mr. McCue, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 2576, Int. No. 901) entitled "An act to amend the Railroad Law, in relation to the revocation of the appointment of conductors and brakemen as policemen," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|-------------|------------|-----------|
| Adler | Donnelly | Hearn | McElligott | Shlivek |
| Baumes | Donovan | Herrick J J | McKeon | Shortt |
| Beach | Drummond | Herrick W R | Merritt | Smith A E |
| Blauvelt | Ebbetts | Heyman | Miller | Smith T K |
| Boylan | Egan | Higgins | Monczynski | Spielberg |
| Brace | Evans | Hoey | Mork | Stivers |
| Brennan | Farrell | Hoff | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Myers | Terry |

| | | | | |
|-------------|-------------|-----------|----------------|------------|
| Brooks | Filley | Hoyt | Neupert | Thorn |
| Brown | Fitzpatrick | Huber | Nolan | Trombly |
| Bryant | Foley | Jackson | Oliver | Turley |
| Bush | Gerhardt | Jameson | O'Neill J J | Ward |
| Butler | Gillen | Jones | O'Neil M A | Waring |
| Carew | Goldberg | Kennedy | Parker A | Warren |
| Caughlan | Goldstein | Keys | Parker J S | Washburn |
| Chanler | Goodman | Lansing | Patrie | Waters F A |
| Cheney | Goodwin | LaReau | Phillips C W | Weil |
| Coffey | Gould | Lent | Phillips J S | Wende |
| Collin | Graubard | Levy A J | Pierce | Wheeler |
| Colné | Gregg | Levy J | Saunders | Wilson |
| Constantine | Gurnett | MacGregor | Schifferdecker | Yale |
| Cosad | Hackett | Manley | Seeley | Yeomans |
| Cuvillier | Haines | Martin | Shannon | Young |
| Dawson | Hammond | McCue | Shepardson | Zorn |
| Day | Hart | McDaniels | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

The bill (No. 2578, Int. No. 1248) entitled "An act to consolidate and revise the laws relating to the city of Lockport," having been announced for a third reading,

On motion of Mr. Gould, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 2591, Int. No. 696) entitled "An act to amend the Public Health Law, in relation to the use of common drinking cups," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 1

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Adler | Donnelly | Hearn | McDaniels | Shlivek |
| Baumes | Donovan | Herrick J J | McElligott | Shortt |
| Beach | Drummond | Herrick W R | McKeon | Smith A E |
| Blauvelt | Ebbetts | Heyman | Merritt | Smith T K |
| Boylan | Egan | Higgins | Miller | Spielberg |
| Brace | Evans | Hoey | Monczynski | Stivers |
| Brennan | Farrell | Hoff | Mork | Sweet |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Bridenbecker | Fay | Hollmann | Murray | Terry |
| Brooks | Filley | Hoyt | Myers | Thorn |
| Brown | Fitzpatrick | Huber | Neupert | Trombly |
| Bryant | Foley | Jackson | Nolan | Turley |
| Bush | Gerhardt | Jameson | Oliver | Ward |
| Butler | Gillen | Jones | O'Neill J J | Waring |
| Carew | Goldberg | Kennedy | O'Neil M A | Warren |
| Caughlan | Goldstein | Keys | Parker A | Washburn |
| Chanler | Goodman | Lansing | Parker J S | Waters F A |
| Cheney | Goodwin | LaReau | Patrie | Weil |
| Coffey | Gould | Lent | Phillips C W | Wende |
| Collin | Graubard | Levy A J | Pierce | Wheeler |
| Colné | Gregg | Levy J | Saunders | Wilson |
| Constantine | Gurnett | MacGregor | Schifferdecker | Yale |
| Cosad | Hackett | Manley | Seeley | Yeomans |
| Cuvillier | Haines | Martin | Shannon | Young |
| Dawson | Hammond | McCue | Shepardson | Zorn |
| Day | Hart | | | |

In the negative:

Phillips J S

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill and, as amended, have again passed the same and request the concurrence of the Senate therein.

The bill (No. 2590, Int. No. 1411) entitled "An act to amend the Labor Law, in relation to the organization, powers and duties of the Department of Labor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|------------|------------|
| Beach | Day | Hart | McDaniels | Shortt |
| Blauvelt | Donnelly | Herrick J J | McElligott | Smith A E |
| Brace | Drummond | Herrick W R | McKeon | Stivers |
| Brennan | Egan | Heyman | Merritt | Sweet |
| Bridenbecker | Fay | Higgins | Monczynski | Terry |
| Brooks | Filley | Hoey | Mork | Thorn |
| Brown | Fitzpatrick | Huber | Murray | Trombly |
| Bryant | Foley | Jackson | Myers | Turley |
| Bush | Gerhardt | Jameson | Neupert | Ward |
| Butler | Gerken | Jones | Nolan | Warren |
| Carew | Gillen | Kennedy | Oliver | Washburn |
| Caughlan | Goldberg | Keys | O'Neil M A | Waters F A |

| | | | | |
|-------------|-----------|-----------|----------------|---------|
| Chanler | Goldstein | Lansing | Patrie* | Weil |
| Cheney | Goodwin | LaReau | Phillips C W | Wende |
| Collin | Gould | Levy A J | Phillips J S | Wheeler |
| Colné | Gray | Levy J | Saunders | Wilson |
| Connell | Gurnett | MacGregor | Schifferdecker | Yale |
| Constantine | Hackett | Manley | Seeley | Yeomans |
| Cosad | Haines | Martin | Shepardson | Young |
| Cuvillier | Hammond | McCue | Shlivek | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

The bill (No. 2587, Int. No. 1514) entitled "An act to amend section thirty-seven of chapter four of the Laws of eighteen hundred and ninety-one, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants,' as heretofore amended, with reference to assessment of cost and expense necessary to be incurred for the construction of a rapid transit railroad and for property to be acquired for the construction and operation thereof, upon property benefited thereby," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Beach | Day | Hart | McDaniels | Shortt |
| Blauvelt | Donnelly | Herrick J J | McElligott | Smith A E |
| Brace | Drummond | Herrick W R | McKeon | Stivers |
| Brennan | Egan | Heyman | Merritt | Sweet |
| Bridenbecker | Fay | Higgins | Monczynski | Terry |
| Brooks | Filley | Hoey | Mork | Thorn |
| Brown | Fitzpatrick | Huber | Murray | Trombly |
| Bryant | Foley | Jackson | Myers | Turley |
| Bush | Gerhardt | Jameson | Neupert | Ward |
| Butler | Gerken | Jones | Nolan | Warren |
| Carew | Gillen | Kennedy | Oliver | Washburn |
| Caughlan | Goldberg | Keys | O'Neil M A | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |
| Cheney | Goodwin | LaReau | Phillips C W | Wende |
| Collin | Gould | Levy A J | Phillips J S | Wheeler |

| | | | | |
|-------------|---------|-----------|----------------|---------|
| Colné | Gregg | Levy J | Saunders | Wilson |
| Connell | Gurnett | MacGregor | Schifferdecker | Yale |
| Constantine | Hackett | Manley | Seeley | Yeomans |
| Cosad | Haines | Martin | Shepardson | Young |
| Cuvillier | Hammond | McCue | Shlivek | Zorn |
| Dawson | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

The bill (No. 2597, Int. No. 1927) entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," having been announced for a third reading,

Debate was had thereon.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|---------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Herrick J J | McElligott | Shlivek |
| Baumes | Donovan | Herrick W R | McKeon | Shortt |
| Beach | Drummond | Heyman | Merritt | Smith A E |
| Blauvelt | Ebbetts | Higgins | Miller | Smith T K |
| Boylan | Egan | Hoey | Monezynski | Spielberg |
| Brace | Evans | Hoff | Mork | Stivers |
| Brennan | Farrell | Hollmann | Murray | Sweet |
| Bridenbecke r | Fay | Hoyt | Myers | Terry |
| Brooks | Filley | Huber | Neupert | Thorn |
| Brown | Fitzpatrick | Jackson | Nolan | Trombly |
| Bryant | Foley | Jameson | Oliver | Turley |
| Bush | Gerhardt | Jones | O'Neill J J | Ward |
| Butler | Gillen | Kennedy | O'Neil M A | Waring |
| Carew | Goldstein | Keys | Parker A | Warren |
| Caughlan | Goodman | Lansing | Parker J S | Washburn |
| Chanler | Goodwin | LaReau | Patrie | Waters F A |
| Cheney | Gould | Lent | Phillips C W | Weil |
| Coffey | Graubard | Levy A J | Phillips J S | Wende |
| Collin | Gregg | Levy J | Pierce | Wheeler |
| Colné | Gurnett | MacGregor | Saunders | Wilson |
| Constantine | Hackett | Manley | Schifferdecker | Yale |
| Cosad | Haines | Martin | Seeley | Yeomans |
| Cuvillier | Hammond | McCue | Shannon | Young |
| Dawson | Hart | McDaniels | Shepardson | Zorn |
| Day | Hearn | | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

By unanimous consent, Mr. Sweet called up Assembly bill (No. 2574, Int. No. 1048), entitled "An act to provide for the construction of a bridge over the barge canal at the city of Fulton, and making an appropriation therefor."

Said bill having been announced,

Mr. Sweet moved that said bill be recommitted to the committee on ways and means, with instructions to report the same forthwith, amended as follows:

Page 2, line 15, strike out everything after "appropriated" and insert after "appropriated" the following: "payable from the barge canal fund, so-called, consisting of the proceeds of bonds and abandoned canal lands sold pursuant to chapter one hundred and forty-seven of the Laws of nineteen hundred and three, and acts amendatory thereof."

Page 2, line 16, strike out down to and including "appropriated,".

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it; therefore, in accordance with the provisions of section 15 of article 3 of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill (Int. No. 1048, Printed No. 2574), entitled "An act to provide for the construction of a bridge over the barge canal at the city of Fulton, and making an appropriation therefor."

Given under my hand and the privy seal of the State at the Capitol in the city of Albany this eighteenth day
[L. s.] of July in the year of our Lord one thousand nine hundred and eleven.

JOHN A. DIX.

By the Governor:

JOHN A. MASON,

Secretary to the Governor.

Said bill, as amended, was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate

passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Herrick J J | McElligott | Shlivek |
| Baumes | Donovan | Herrick W R | McKeon | Shortt |
| Beach | Drummond | Heyman | Merritt | Smith A E |
| Blauvelt | Ebbetts | Higgins | Miller | Smith T K |
| Boylan | Egan | Hoey | Monczynski | Spielberg |
| Brace | Evans | Hoff | Mork | Stivers |
| Brennan | Farrell | Hollmann | Murray | Sweet |
| Bridenbecker | Fay | Hoyt | Myers | Teiry |
| Brooks | Filley | Huber | Neupert | Thorn |
| Brown | Fitzpatrick | Jackson | Nolan | Trombly |
| Bryant | Foley | Jameson | Oliver | Turley |
| Bush | Gerhardt | Jones | O'Neill J J | Ward |
| Butler | Gillen | Kennedy | O'Neil M A | Waring |
| Carew | Goldstein | Keys | Parker A | Warren |
| Caughlan | Goodman | Lansing | Parker J S | Washburn |
| Chanler | Goodwin | LaReau | Patrie | Waters F A |
| Cheney | Gould | Lent | Phillips C W | Weil |
| Coffey | Graubard | Levy A J | Phillips J S | Wende |
| Collin | Gregg | Levy J | Pierce | Wheeler |
| Colné | Gurnett | MacGregor | Saunders | Wilson |
| Constantine | Hackett | Manley | Schifferdecker | Yale |
| Cosad | Haines | Martin | Seeley | Yeomans |
| Cuvillier | Hammond | McCue | Shannon | Young |
| Dawson. | Hart | McDaniels | Shepardson | Zora |
| Day | Hearn | | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

By unanimous consent, Mr. A. E. Smith called up Senate bill (No. 2074, Rec. No. 538), entitled "An act for the control and regulation of the waters of the Niagara river," now on special order of second and third reading.

Said bill having been announced,

Mr. A. E. Smith moved to amend as follows:

Page 2, line 5, after the word "of" strike out the words "water under" and insert the following: "such waters for power purposes to the amounts of daily diversions at the rates per second stated in".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the special order of second and third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 18, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1431, Senate Reprint No. 2040, Int. No. 467), entitled "An act to amend the Forest, Fish and Game Law, in relation to spearing, hooking and set lines."

JOHN A. DIX.

Said bill having been announced,

Mr. Miller moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Hearn | McElligott | Shlivek |
| Baumes | Donovan | Herrick J J | McKeon | Shortt |
| Beach | Drummond | Herrick W R | Merritt | Smith A E |
| Blauvelt | Ebbetts | Heyman | Miller | Smith T K |
| Boylan | Egan | Higgins | Monczynski | Spielberg |
| Brace | Evans | Hoey | Mork | Stivers |
| Brennan | Farrell | Hoff | Murray | Sweet |
| Bridenbecker | Fay | Hollmann | Myers | Terry |
| Brooks | Filley | Hoyt | Neupert | Thorn |
| Brown | Fitzpatrick | Huber | Nolan | Trombly |
| Bryant | Foley | Jackson | Oliver | Turley |
| Bush | Gerhardt | Jameson | O'Neill J J | Ward |
| Butler | Gillen | Jones | O'Neil M A | Waring |
| Carew | Goldberg | Kennedy | Parker A | Warren |
| Caughlan | Goldstein | Keys | Parker J S | Washburn |
| Chanler | Goodman | Lansing | Patrie | Waters F A |
| Cheney | Goodwin | LaReau | Phillips C W | Weil |
| Coffey | Gould | Lent | Phillips J S | Wende |
| Collin | Graubard | Levy A J | Pierce | Wheeler |
| Colné | Gregg | Levy J | Saunders | Wilson |
| Constantine | Gurnett | MacGregor | Schifferdecker | Yale |
| Cosad | Hackett | Manley | Seeley | Yeomans |
| Cuvillier | Haines | Martin | Shannon | Young |
| Dawson | Hammond | McCue | Shepardson | Zorn |
| Day | Hart | McDaniels | | |

Mr. Patrie moved that said bill be recommitted to the committee on forestry, fisheries and game, with instructions to report the same forthwith, amended as follows:

Page 4, line 15, after the word "Davenport" strike out the period and insert "or in the Schoharie river and its tributaries in Schoharie and Greene counties."

Line 10, page 4, insert after the word "hooking" "and with set lines".

Line 11, page 4, before the word "Delaware" insert the word "Otsego,".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Gurnett, from the committee on forestry, fisheries and game, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Gurnett offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1537, Int. No. 1306), entitled "An act to amend the Forest, Fish and Game Law, in relation to appointment of special game protectors and wardens," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Donnelly offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2165 Int. No. 1742), entitled "An act to increase the number of justices of the Supreme Court in the second judicial district of the State, and to provide for additional justices therein," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Jackson offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2241, Int. No. 1808), entitled "An act to amend an act, entitled 'An act to extend the time within which the International Railway Company and the Crosstown Street Railway Company of Buffalo shall complete their railroads in the city of Buffalo, and begin the operation of same beyond their present construction and operation,'" for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *July 18, 1911.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 1364, Rec. No. 401), entitled "An act to legalize and confirm the certificate of incorporation and the incorporation of the Rome and Oneida Electric Railroad, and the proceedings taken and had under or in pursuance of said certificate, and extending the time within which such corporation may construct its road and put the same in operation," for the purposes of amendment.

By order of the Senate,

PATRICK E. McCABE,

Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *July 18, 1911.*

Resolved (if the Assembly concur), That Senate bill (No. 15, Rec. No. 12), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of Leroy

Crawford against the State for damages alleged to have been sustained by him by reason of the appropriation of the lands of Mary L. Fisher, in the county of Herkimer, by the forest purchasing board for Adirondack park purposes, and to render judgment therefor," be returned to the Governor.

By order of the Senate,
PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *July 18, 1911.*

Resolved (if the Assembly concur), That Senate bill (No. 443, Rec. No. 79), entitled "An act to amend article six of the Insurance Law, in relation to certificates of authority to be issued by the Superintendent of Insurance," be returned to the Governor.

By order of the Senate,
PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 18, 1911.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment, Assembly bill (No. 2241, Int. No. 1808), entitled "An act to amend an act, entitled 'An act to extend the time within which the International Railway Company and the Crosstown Street Railway Company of Buffalo shall complete their railroads in the city of Buffalo, and begin the operation of same beyond their present construction and operation.'"

JOHN A. DIX.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *June 30, 1911.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1540, Int. No. 1309), entitled "An act to amend chapter four hundred and three of the Laws of nineteen hundred and three, entitled 'An act to create and establish a city court in and for the city of Cohoes, to provide for the appointment of the officers thereof, and to regulate the practice in said court,' in relation to the election and term of office of the city judge."

JOHN A. DIX.

The Senate returned the Assembly bill (No. 2248, Senate Reprint No. 2014, Int. No. 1815), entitled "An act to authorize the retirement of George A. Pattison, a patrolman of the New York city police force, upon a pension payable from the police pension fund of said city."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

Also, the Assembly bill (No. 2468, Senate Reprint No. 2109, Int. No. 356), entitled "An act to amend the Forest, Fish and Game Law, in relation to the taking of Mongolian ring-necked or other pheasants."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Assembly bill (No. 2590, Senate Reprint No. 2052, Int. No. 1411), entitled "An act to amend the Labor Law, in relation to the organization, powers and duties of the Department of Labor," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 2568, Int. No. 928), entitled "An act to provide for the improvement of the Black River canal north of Boonville and for the repair of the structures thereof, and making an appropriation therefor," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

Also, the bill (No. 2362, Int. No. 1902), entitled "An act for the relief of William B. Coates."

Also, the bill (No. 1792, Int. No. 1041), entitled "An act to amend the General City Law, in relation to the licensing of dogs in cities of the third class."

Also, the bill (No. 958, Int. No. 867), entitled "An act to amend chapter seven hundred and six of the Laws of nineteen hundred and one, entitled 'An act to make the office of register of the county of Kings a salaried office and regulating the management of said office,' in relation to the compensation and duties of the register."

Also, the bill (No. 244, Int. No. 242), entitled "An act to provide for the expiration of the terms of office of the civil engineers appointed to act as an advisory board of consulting engineers, pursuant to the provisions of chapter one hundred and forty-seven of the Laws of nineteen hundred and three," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Senate bill (No. 2082, Assembly Reprint No. 2580, Rec. No. 505), entitled "An act to amend the General Municipal Law, in relation to the acquisition of water rights in Westchester and Putnam counties."

Also, Senate bill (No. 1023, Assembly Reprint No. 2583, Rec. No. 365), entitled "An act to amend the Tax Law, in relation to the appointment of a transfer tax clerk in Nassau county," with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2165, Int. No. 1742), entitled "An act to increase the number of justices of the Supreme Court in the second judicial district of the State, and to provide for additional justices therein," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from

the Governor, for the purposes of amendment, Assembly bill (No. 1537, Int. No. 1306), entitled "An act to amend the Forest, Fish and Game Law, in relation to appointment of special game protectors and wardens," with a message that they have concurred in the passage of the same.

Ordered, That the clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 599, Int. No. 577), entitled "An act to amend the Education Law, in relation to the establishment of a State school of sanitary science and public health at Cornell University, and making an appropriation therefor," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution recalling from the mayor of the city of New York, for the purpose of amendment, the certified copy of Assembly bill (No. 1628, Int. No. 1372), entitled "An act to organize and equip a colored regiment of infantry in the city of New York, to become a part of the National Guard of the State of New York," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said resolution to the mayor of the city of New York.

A communication was received from Hon. Francis M. Hugo, mayor of the city of Watertown, returning Assembly bill (No. 967, Senate Reprint No. 1327, Int. No. 876), entitled "An act to amend chapter two hundred and fifty-eight of the Laws of nineteen hundred and seven, entitled 'An act to provide for a police pension fund for the police force of the city of Watertown,' in relation to the composition of such fund," with a message that said mayor, and the common council of said city, after a public hearing thereon, do not approve said bill and do not accept the same.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 768, Int. No. 12), entitled "An act to amend the Greater New York charter, relative to the powers and duties of the commissioner of street cleaning," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

The Senate returned the concurrent resolution in relation to treaty rights between the United States and Russia and the unjustified discrimination against persons of the Jewish faith, with a message that they have concurred in the passage of the same without amendment.

On motion of Mr. A. E. Smith, the House adjourned.

WEDNESDAY, JULY 19, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Creighton R. Storey.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 17, 1911.*

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 2504), entitled "An act to amend the Judiciary Law, in relation to the salary of the calendar clerk of the surrogate's court of Kings county."

This bill amends the Judiciary Law, in relation to the salary of the calendar clerk of the surrogate's court of Kings county. It provides a new office and no apparent reason or necessity is shown therefor. For this reason I disapprove the bill.

JOHN A. DIX.

On motion of Mr. Gillen, said message together with said bill was ordered laid upon the table.

Mr. Filley gives notice that he requests that the Senate bill introduced by Mr. Allen (No. 1568, Rec. No. 299), entitled "An act to amend the County Law, in relation to business hours in certain offices in the counties of Rensselaer and Saratoga," a copy of which is hereto annexed, be made a special order, and asks that

his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Filley gives notice that he requests that the Senate bill introduced by Mr. Allen (No. 2101, Rec. No. 554), entitled "An act to authorize the audit and payment of certain claims by the county of Rensselaer," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Jackson gives notice that he requests that the Senate bill introduced by Mr. Ramsperger (No. 190, Rec. No. 460), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to article seven, section eight of the Constitution, in relation to canals," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hammond gives notice that he requests that the Senate bill introduced by Mr. Walters (No. 1971, Rec. No. 509), entitled "An act to amend 'An act for the incorporation of the Skaneateles Railroad Company, and to operate a railroad from the village of Skaneateles to Skaneateles Junction,' passed April seventeenth, eighteen hundred and sixty-six, in relation to the continuance of its corporate existence," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Donnelly gives notice that he requests that the Senate bill introduced by Mr. O'Brien (No. 447, Rec. No. 86), entitled "An act to provide for an investigation into the subject of utilizing sewage for fertilizer, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Shepardson gives notice that he requests that the Senate bill introduced by Mr. Thomas (No. 2010, Rec. No. 523), entitled "An act to amend the Highway Law, in relation to the courses and descriptions of route seven of the State highway sys-

tem," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. M. A. O'Neil gives notice that he requests that the Senate bill introduced by Mr. Cronin (No. 1771, Rec. No. 400), entitled "An act to amend the Banking Law, in relation to savings and loan associations," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Donnelly gives notice that he requests that the Senate bill introduced by Mr. Black (No. 1962, Rec. No. 450), entitled "An act to amend section seventy-four of the Laws of nineteen hundred and ten, entitled 'An act in relation to inferior courts of criminal jurisdiction in the city of New York, defining their powers and jurisdiction and providing for their officers,' " a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Oliver gives notice that he requests that the Senate bill introduced by Mr. Ferris (No. 2127, Rec. No. 512), entitled "An act authorizing the acquisition of another site for the Utica State Hospital and the disposition of the present buildings and grounds of said State hospital," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Cuvillier gives notice that he requests that the Senate bill introduced by Mr. Duhamel (No. 2083, Rec. No. 533), entitled "An act to amend chapter one thousand and six of the Laws of eighteen hundred and ninety-five, entitled 'An act to provide for discontinuing and closing streets, roads, highways, alleys, lanes and thoroughfares in cities of more than one million two hundred and fifty thousand inhabitants,' in relation to extending the provisions of such chapter to certain thoroughfares and the extinguishment of easements therein," a copy of which is hereto annexed, be made a special order, and asks that his request be re-

ferred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Yale gives notice that he requests that the Senate bill introduced by Mr. Roosevelt (No. 1928, Rec. No. 413), entitled "An act to extinguish the claim of the heirs of Phillip Philipse by the acquisition of their mineral and mining rights in certain lands in the counties of Putnam and Dutchess heretofore conveyed by the Commissioners of Forfeiture of the State of New York and to perfect title thereto, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Gould gives notice that he requests that the Senate bill introduced by Mr. Gittins (No. 2177, Rec. No. 571), entitled "An act to consolidate and revise the laws relating to city of Lockport," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Blauvelt gives notice that he requests that the Senate bill introduced by Mr. Bayne (No. 164, Rec. No. 81), entitled "An act to repeal section three hundred and thirty-three of the Real Property Law and to validate the record of certain instruments," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hammond gives notice that he requests that the Senate bill introduced by Mr. Walters (No. 18, Rec. No. 206), entitled "An act to establish a State college of forestry at Syracuse University and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Long (No. 1539, Rec. No. 435), entitled "An act to amend the Liquor Tax Law, in relation to places in

which traffic in liquors shall not be permitted," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Oliver gives notice that he requests that the Senate bill introduced by Mr. Saxe (No. 1140, Rec. No. 564), entitled "An act authorizing the Board of Statutory Consolidation to examine and report a plan for the classification, consolidation and simplification of the civil practice in the courts of this State," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Oliver gives notice that he requests that the Senate bill introduced by Mr. T. D. Sullivan (No. 2138, Rec. No. 521), entitled "An act to amend chapter three hundred and twenty-seven of the Laws of eighteen hundred and eighty-two, entitled 'An act to incorporate the Actors' Fund of America, in relation to trustees and officers,' " a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Coffey gives notice that he requests that the Senate bill introduced by Mr. Wainwright (No. 1865, Rec. No. 420), entitled "An act to amend the Village Law, in relation to establishment of parkways," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Gerhardt gives notice that he requests that the Senate bill introduced by Mr. Stilwell (No. 1653, Rec. No. 566), entitled "An act to amend the Railroad Law, in relation to judicial proceedings for the acquisition at an appraised valuation by a railroad corporation of the minority stock of another corporation in certain cases where the public interest is involved," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Foley gives notice that he requests that the Senate bill in-

troduced by Mr. Stilwell (No. 1654, Int. No. 1371), entitled "An act to amend chapter three hundred and sixty-one of the Laws of eighteen hundred and sixty-three, entitled 'An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania,' and all acts amendatory thereof, as amended by chapter three hundred and forty of the Laws of eighteen hundred and ninety-two, entitled 'An act to amend chapter three hundred and sixty-one of the Laws of eighteen hundred and sixty-three, entitled "An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania,"' and all acts amendatory thereof," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Donnelly gives notice that he requests that the Senate bill introduced by Mr. Sanner (No. 738, Rec. No. 93), entitled "An act to provide for the acquisition and preservation of the historic house and grounds formerly owned and occupied by General Nicholas Herkimer, in the town of Danube, in the county of Herkimer, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Brackett (No. 1667, Rec. No. 424), entitled "An act to provide for the acquisition and care of lands to commemorate the battle of Saratoga and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Merritt gives notice that he requests that the Senate bill introduced by Mr. Coats (No. 2131, Rec. No. 555), entitled "An act to amend the County Law, in relation to the salary of the county judge of Franklin county," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Gould gives notice that he requests that Assembly bill (No. 294, Int. No. 293), entitled "An act to amend the Agricultural Law, in relation to the establishment of an agricultural experiment station in Niagara county," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Ward gives notice that he requests that Assembly bill (No. 2097, Int. No. 1437), entitled "An act to amend chapter five hundred and twenty-three of the Laws of eighteen hundred and ninety, entitled 'An act in relation to the office of sheriff of the city and county of New York,' relative to salaries," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Wheeler gives notice that he requests that Assembly bill (No. 933, Int. No. 842), entitled "An act to amend the Education Law, in relation to the establishment of a State school of agriculture and domestic sciences and kindred subjects at Delhi, Delaware county, providing for its management and control and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Bridenbecker gives notice that he requests that Assembly bill (No. 2575, Int. No. 1774), entitled "An act to amend the Forest, Fish and Game Law, in relation to the fee for issuing a hunting license," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Allen (No. 1568, Rec. No. 299), entitled "An act to amend the County Law, in relation to business hours in certain offices in the counties of Rensselaer and Saratoga."

Also, Senate bill introduced by Mr. Allen (No. 2101, Rec. No.

554), entitled "An act to authorize the audit and payment of certain claims by the county of Rensselaer."

Also, Senate bill introduced by Mr. Walters (No. 1971, Rec. No. 509), entitled "An act to amend 'An act for the incorporation of the Skaneateles Railroad Company, and to operate a railroad from the village of Skaneateles to Skaneateles Junction,' passed April seventeenth, eighteen hundred and sixty-six, in relation to the continuance of its corporate existence."

Also, Senate bill introduced by Mr. Ramsperger (No. 190, Rec. No. 460), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to article seven, section eight of the Constitution, in relation to canals."

Also, Senate bill introduced by Mr. Thomas (No. 2010, Rec. No. 523), entitled "An act to amend the Highway Law, in relation to the courses and descriptions of route seven of the State highway system."

Also, Senate bill introduced by Mr. O'Brien (No. 447, Rec. No. 86), entitled "An act to provide for an investigation into the subject of utilizing sewage for fertilizer, and making an appropriation therefor."

Also, Senate bill introduced by Mr. Cronin (No. 1771, Rec. No. 400), entitled "An act to amend the Banking Law, in relation to savings and loan associations."

Also, Senate bill introduced by Mr. Black (No. 1962, Rec. No. 450), entitled "An act to amend section seventy-four of the Laws of nineteen hundred and ten, entitled 'An act in relation to the inferior courts of criminal jurisdiction in the city of New York, defining their powers and jurisdiction and providing for their officers.'"

Also, Senate bill introduced by Mr. Duhamel (No. 2083, Rec. No. 533), entitled "An act to amend chapter one thousand and six of the Laws of eighteen hundred and ninety-five, entitled 'An act to provide for discontinuing and closing streets, roads, highways, alleys, lanes and thoroughfares in cities of more than one million two hundred and fifty thousand inhabitants,' in relation to extending the provisions of such chapter to certain thoroughfares and the extinguishment of easements therein."

Also, Senate bill introduced by Mr. Ferris (No. 2127, Rec. No. 512), entitled "An act authorizing the acquisition of another site for the Utica State Hospital and the disposition of the present buildings and grounds of said State hospital."

Also, Senate bill introduced by Mr. Gittins (No. 2177, Rec. No. 571), entitled "An act to consolidate and revise the laws relating to the city of Lockport."

Also, Senate bill introduced by Mr. Roosevelt (No. 1928, Rec. No. 413), entitled "An act to extinguish the claim of the heirs of Phillip Philipse by the acquisition of their mineral and mining rights in certain lands in the counties of Putnam and Dutchess heretofore conveyed by the Commissioners of Forfeiture of the State of New York and to perfect title thereto, and making an appropriation therefor."

Also, Senate bill introduced by Mr. Walters (No. 18, Rec. No. 206), entitled "An act to establish a State college of forestry at Syracuse University and making an appropriation therefor."

Also, Senate bill introduced by Mr. Bayne (No. 164, Rec. No. 81), entitled "An act to repeal section three hundred and thirty-three of the Real Property Law and to validate the record of certain instruments."

Also, Senate bill introduced by Mr. Saxe (No. 1140, Rec. No. 564), entitled "An act authorizing the Board of Statutory Consolidation to examine and report a plan for the classification, consolidation and simplification of the civil practice in the courts of this State."

Also, Senate bill introduced by Mr. Long (No. 1539, Rec. No. 435), entitled "An act to amend the Liquor Tax Law, in relation to places in which traffic in liquors shall not be permitted."

Also, Senate bill introduced by Mr. Wainwright (No. 1865, Rec. No. 420), entitled "An act to amend the Village Law, in relation to establishment of parkways."

Also, Senate bill introduced by Mr. T. D. Sullivan (No. 2138, Rec. No. 521), entitled "An act to amend chapter three hundred and twenty-seven of the Laws of eighteen hundred and eighty-two, entitled 'An act to incorporate the Actors' Fund of America,' in relation to trustees and officers."

Also, Senate bill introduced by Mr. Stilwell (No. 1653, Rec.

No. 566), entitled "An act to amend the Railroad Law, in relation to judicial proceedings for the acquisition at an appraised valuation by a railroad corporation of the minority stock of another corporation in certain cases where the public interest is involved."

Also, Senate bill introduced by Mr. Stilwell (No. 1654, Rec. No. 492), entitled "An act to amend chapter three hundred and sixty-one of the Laws of eighteen hundred and sixty-three, entitled 'An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania,' and all acts amendatory thereof, as amended by chapter three hundred and forty of the Laws of eighteen hundred and ninety-two, entitled 'An act to amend chapter three hundred and sixty-one of the Laws of eighteen hundred and sixty-three, entitled "An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania,"' and all acts amendatory thereof."

Also, Senate bill introduced by Mr. Brackett (No. 1667, Rec. No. 424), entitled "An act to provide for the acquisition and care of lands to commemorate the battle of Saratoga and making an appropriation therefor."

Also, Senate bill introduced by Mr. Sanner (No. 738, Rec. No. 93), entitled "An act to provide for the acquisition and preservation of the historic house and grounds formerly owned and occupied by General Nicholas Herkimer, in the town of Danube, in the county of Herkimer, and making an appropriation therefor."

Also, Senate bill introduced by Mr. Coats (No. 2131, Rec. No. 555), entitled "An act to amend the County Law, in relation to the salary of the county judge of Franklin county," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Gould (No. 294, Int. No. 293), entitled "An act to amend the Agricultural Law, in re-

lation to the establishment of an agricultural experiment station in Niagara county."

Also, Assembly bill introduced by Mr. Ward (No. 2097, Int. No. 1437), entitled "An act to amend chapter five hundred and twenty-three of the Laws of eighteen hundred and ninety, entitled 'An act in relation to the office of sheriff of the city and county of New York,' relative to salaries."

Also, Assembly bill introduced by Mr. Bridenbecker (No. 2575, Int. No. 1774), entitled "An act to amend the Forest, Fish and Game Law, in relation to the fee for issuing a hunting license."

Also, Assembly bill introduced by Mr. Wheeler (No. 933, Int. No. 842), entitled "An act to amend the Education Law, in relation to the establishment of a State school of agriculture and domestic science and kindred subjects at Delhi, Delaware county, providing for its management and control, and making an appropriation therefor," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the resolution relative to printing additional copies of Assembly bill (No. 2542, Senate Reprint No. 2147, Int. No. 1481), reported in favor of the adoption of the following resolution:

Resolved (if the Senate concur), That there be printed for the use of the Legislature two thousand copies of Assembly bill (No. 2542, Senate Reprint No. 2147, Int. No. 1481), entitled "An act to amend the Election Law, generally."

which report was agreed to.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Hackett | McCue | Sheide |
| Ahern | Day | Haines | McDaniels | Shepardson |
| Allen | Donnelly | Hammond | McElligott | Shlivek |
| Baumes | Donovan | Hart | McGrath | Shortt |
| Beach | Drummond | Herrick J J | McKeon | Smith A E |
| Blauvelt | Ebbetts | Herrick W R | Merritt | Smith T K |
| Boylan | Egan | Heyman | Miller | Stivers |
| Brace | Evans | Higgins | Monczynski | Sweet |
| Brennan | Farrell | Hoey | Mork | Talmage |
| Brereton | Fay | Hoff | Murray | Terry |
| Bridenbecker | Filley | Hollmann | Myers | Thorn |
| Brooks | Fitzpatrick | Hoyt | Neupert | Trombly |
| Brown | Foley | Huber | Nolan | Turley |
| Bryant | Friedman | Jackson | O'Connor | Walker |
| Bush | Gerhardt | Jameson | Oliver | Ward |
| Butler | Gerken | Jones | O'Neill J J | Waring |
| Carew | Gillen | Kennedy | O'Neil M A | Warren |
| Caughlan | Goldberg | Keys | Parker A | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |
| Cheney | Goodman | LaReau | Phillips C W | Wende |
| Coffey | Goodwin | Lent | Phillips J S | Wheeler |
| Collin | Gould | Levy A J | Saunders | Wilson |
| Colné | Graubard | Levy J | Schifferdecker | Yale |
| Constantine | Gray | MacGregor | Seeley | Yeomans |
| Cosad | Gregg | Manley | Shannon | Young |
| Cross | Gurnett | Martin | Shea | Zorn |
| Cuvillier | | | | |

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Speaker, from the committee on rules, to which was referred the resolution relative to a joint committee to investigate the subject of water storage, reported in favor of the adoption of said resolution, amended to read as follows:

Resolved (if the Assembly concur), That a joint committee of the Legislature, consisting of three members of the Senate to be appointed by the President of the Senate and five members of the Assembly to be appointed by the Speaker of the Assembly, is hereby constituted a committee for the purpose of investigating and considering all matters pertaining to the subject of water storage and the conservation, development, utilization and distribution of water power within the State; and to report its conclusions to the next session of the Legislature on or before the first day of February, nineteen hundred and twelve; and recom-

mend such proposed legislation and amendments to the Constitution as in the judgment of the committee will best conserve the interests of the State; and be it further

Resolved, That the President of the Senate and the Speaker of the Assembly, in behalf of the Senate and Assembly, respectively, be authorized to fill such vacancies as may occur in the membership of the committee; and that the committee be authorized to sit during the recess of the Legislature outside of the city of Albany; that the committee be authorized and empowered to subpoena and compel the attendance of witnesses, including public officers and employees, and the production of books and papers, including public records and documents; to administer oaths, take proof and testimony, employ counsel, and expert witnesses and examiners, stenographers and other necessary assistants; and have all of the powers, usual or incident to legislative committees, including the adoption of rules for the conduct of its proceedings; and be it further

Resolved, That the actual and necessary expenses of the committee in carrying out the provisions of this resolution, not exceeding the sum of twenty thousand dollars, be paid from the moneys appropriated for the contingent expenses of the Legislature by the Treasurer on the warrant of the Comptroller and the certificate of the chairman of the committee.

which report was agreed to.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|------------|------------|
| Adler | Dawson | Hackett | McCue | Sheide |
| Ahern | Day | Haines | McDaniels | Shepardson |
| Allen | Donnelly | Hammond | McElligott | Shlivek |
| Baumes | Donovan | Hart | McGrath | Shortt |
| Beach | Drummond | Herrick J J | McKeon | Smith A E |
| Blauvelt | Ebbetts | Herrick W R | Merritt | Smith T K |
| Boylan | Egan | Heyman | Miller | Stivers |
| Brace | Evans | Higgins | Monczynski | Sweet |
| Brennan | Farrell | Hoe | Mork | Talmage |
| Brereton | Fay | Hoff | Murray | Terry |
| Bridenbecker | Filley | Hollmann | Myers | Thorn |
| Brooks | Fitzpatrick | Hoyt | Neupert | Trombly |
| Brown | Foley | Huber | Nolan | Turley |
| Bryant | Friedman | Jackson | O'Connor | Walker |
| Bush | Gerhardt | Jameson | Oliver | Ward |

| | | | | |
|-------------|-----------|-----------|----------------|------------|
| Butler | Gerken | Jones | O'Neill J J | Waring |
| Carew | Gillen | Kennedy | O'Neil M A | Warren |
| Caughlan | Goldberg | Keys | Parker A | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |
| Cheney | Goodman | LaReau | Phillips C W | Wende |
| Coffey | Goodwin | Lent | Phillips J S | Wheeler |
| Collin | Gould | Levy A J | Saunders | Wilson |
| Colné | Graubard | Levy J | Schifferdecker | Yale |
| Constantine | Gray | MacGregor | Seeley | Yeomans |
| Cosad | Gregg | Manley | Shannon | Young |
| Cross | Gurnett | Martin | Shea | Zorn |
| Cuvillier | | | | |

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. A. J. Levy, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. A. J. Levy (No. 2600, Int. No. 1954), entitled "An act to amend the Election Law, in relation to registration and the organization of boards of elections," retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. A. J. Levy, from the committee on the judiciary, to which was referred Assembly bill (No. 1105, Int. No. 990) introduced by Mr. Warren, entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section four of article two of the Constitution, in relation to the registration of voters," reported in favor of the passage of the same, with the following amendments:

Line 7, before the word "shall" insert "shall be upon personal application only".

Line 8, before word "such" insert bracket "["].

Page 2, line 2, omit bracket after word "only".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to provide for the repair of the dock at Willard, Seneca county, used by the Willard State Hospital, and making an appropriation therefor." (No. 1466, Int. No. 1238.)

"An act making an appropriation to relieve the town of Lumberland in the county of Sullivan from the cost of construction of a free bridge over the Delaware river at Pond Eddy, heretofore constructed by said town, and to provide funds for the payment of its bonds issued therefor." (No. 1750, Int. No. 1466.)

"An act to amend the Education Law, relative to the establishment of county libraries, and contracts by boards of supervisors with public libraries." (No. 1930, Int. No. 1591.)

"An act to amend the Tenement-House Law, in relation to lighting and ventilation of rooms." (No. 1482, Int. No. 1258.)

"Concurrent resolution of the Senate and Assembly, proposing an amendment to section nine of article eight of the Constitution, in relation to the health, safety, compensation for injuries, insurance against accidents and welfare of employees." (No. 1995, Int. No. 1638.)

"An act to amend the Tenement-House Law, generally." (No. 2595, Int. No. 1857.)

"An act to amend the Tax Law, in relation to ascertaining value of special franchises and equalization thereof, powers of State Board of Tax Commissioners, and review of assessments." (No. 1835, Int. No. 494.)

"An act to amend chapter five hundred and twenty-three of the Laws of eighteen hundred and ninety, entitled 'An act in relation to the office of sheriff of the city and county of New York relative to salaries.'" (No. 2097, Int. No. 1437.)

Mr. Gray offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on rules be discharged from the further consideration of the bill (No. 354, Int. No. 347), entitled "An act to amend the Liquor Tax Law, in relation to local option elections in cities."

Debate was had thereon.

Mr. Gray moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Hackett | McCue | Shepardson |
| Ahern | Day | Haines | McDaniels | Shlivek |
| Allen | Donnelly | Hammond | McElligott | Shortt |
| Baumes | Donovan | Hart | McGrath | Smith A E |
| Beach | Drummond | Herrick J J | McKeon | Smith T K |
| Blauvelt | Ebbetts | Herrick W R | Merritt | Stivers |
| Boylan | Egan | Heyman | Miller | Sweet |
| Brace | Evans | Higgins | Moneczynski | Talmage |
| Brennan | Farrell | Hoev | Mork | Terry |
| Brereton | Fay | Hoff | Murray | Thorn |
| Bridenbecker | Filley | Hollmann | Myers | Trombly |
| Brooks | Fitzpatrick | Hoyt | Neupert | Turley |
| Brown | Foley | Huber | Nolan | Walker |
| Bryant | Friedman | Jackson | O'Connor | Ward |
| Bush | Gerhardt | Jameson | Oliver | Waring |
| Butler | Gerken | Jones | O'Neill J J | Warren |
| Carew | Gillen | Kennedy | O'Neil M A | Waters F A |
| Caughlan | Goldberg | Keys | Parker A | Weil |
| Chanler | Goldstein | Lansing | Patrie | Wende |
| Cheney | Goodman | LaReau | Phillips J S | Wheeler |
| Coffey | Goodwin | Lent | Saunders | Wilson |
| Collin | Gould | Levy A J | Schifferdecker | Yale |
| Colné | Graubard | Levy J | Seeley | Yeomans |
| Connell | Gray | MacGregor | Shannon | Young |
| Constantine | Gregg | Manley | Shea | Zorn |
| Cosad | Gurnett | Martin | Sheide | Sptaker |
| Cuvillier | | | | |

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

AYES 35

NOES 68

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|---------|--------------|---------|
| Ahern | Cheney | Goodwin | Lent | Sweet |
| Baumes | Collin | Gray | McDaniels | Thorn |
| Brace | Colné | Hammond | Merritt | Waring |
| Brereton | Cosad | Higgins | Murray | Wheeler |
| Bridenbecker | Drummond | Hoff | Phillips J S | Wilson |
| Brooks | Ebbetts | Hoyt | Shea | Yale |
| Butler | Filley | Lansing | Shepardson | Young |

Those who voted in the negative were:

| | | | | |
|----------|-------------|-------------|-------------|----------------|
| Adler | Donovan | Graubard | Manley | O'Neill J J |
| Beach | Egan | Gregg | Martin | O'Neil M A |
| Blauvelt | Evans | Hackett | McCue | Parker A |
| Brennan | Farrell | Herrick W R | McElligott | Schifferdecker |
| Bush | Fay | Heyman | McGrath | Shortt |
| Carew | Fitzpatrick | Hollmann | McKeon | Smith A E |
| Caughlan | Foley | Huber | Miller | Stivers |
| Chanler | Friedman | Jackson | Moneczynski | Terry |
| Coffey | Gerhardt | Jones | Mork | Turley |

| | | | | |
|-------------|-----------|-----------|----------|--------|
| Constantine | Gerken | Kennedy | Myers | Walker |
| Cuvillier | Gillen | Keys | Neupert | Weil |
| Dawson | Goldberg | Levy A J | O'Connor | Wende |
| Day | Goldstein | Levy J | Oliver | Zorn |
| Donnelly | Gould | MacGregor | | |

Mr. Jackson offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 2241, Int. No. 1808), entitled "An act to amend an act, entitled 'An act to extend the time within which the International Railway Company and the Crosstown Street Railway Company of Buffalo shall complete their railroads in the city of Buffalo, and begin the operation of same beyond their present construction and operation,'" be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 1809, Int. No. 1515), entitled "An act to amend the Forest, Fish and Game Law, in relation to local regulations for the taking of birds or game," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. T. K. Smith offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 379, Int. No. 370), entitled "An act to amend the General Business Law, in relation to employment agencies," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

By unanimous consent, Mr. Ahern offered for the consideration of the House a resolution, in the words following:

Whereas, The borough of Brooklyn of the city of New York has a population of more than a million and a half of people, and,

Whereas, The borough of Brooklyn of said city is fast growing and promises to be in a few years the largest in population of the boroughs of New York city, and,

Whereas, The mail service has recently been reduced so as to cause great inconvenience to the business interests and the residents in general; now, therefore, be it,

Resolved (if the Senate concur), That the President of the United States, and the Representatives in Congress from this State, be and they are hereby requested to urge the Postmaster-General to restore the mail service in the borough of Brooklyn of the city of New York as it was formerly in force prior to the first day of July, nineteen hundred and eleven.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned the Senate bill (No. 1286, Assembly Reprint No. 2557, Senate Reprint No. 2186, Rec. No. 396), entitled "An act to amend the Code of Criminal Procedure, in relation to the number of deputy clerks in the court of general sessions of the city and county of New York," with a message that they have concurred in the amendments of the Assembly made thereto, and with the further message that the vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Frawley, and by unanimous consent, the same was amended as follows:

Page 1, on first line of title after the word "amend" strike out the remainder of said line.

Page 1, strike out the remainder of said title, and insert in place thereof the following: "in relation to the number of deputy clerks in the court of general sessions of the city and county of New York."

Page 1, line 1, after the word "fifty-five" strike out the remainder of said line.

Line 2, strike out all of line 2.

Line 3, strike out line 3 up to the word "of".

Line 4 strike out at the end of said line the words "entitled the court of".

Line 5, strike out on said line all words up to and including the words "New York" and insert thereafter the following: "As amended by chapter six hundred and six of the Laws of nineteen hundred and eleven".

Line 6, at the beginning of said line insert the word "further".

•

Page 2, line 3, after the word "is" insert the word "Now".

Line 5, place brackets around the word "and".

Line 7, strike out the word "and" and after the word "the" insert the word "regular".

Line 8, after the word "jury" add the following: "and a warden to the additional grand jury, and such warden shall hold his office during the pleasure of said judges." (old matter).

Said bill, as amended, was reprinted, re-engrossed, and having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

PATRICK E. McCABE,

Clerk.

Said bill having been announced,

Mr. A. E. Smith moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Hackett | McCue | Sheide |
| Ahern | Day | Haines | McDaniels | Shepardson |
| Allen | Donnelly | Hammond | McElligott | Shlivek |
| Baumes | Donovan | Hart | McGrath | Shortt |
| Beach | Drummond | Herrick J J | McKeon | Smith A E |
| Blauvelt | Ebbetts | Herrick W R | Merritt | Smith T K |
| Boylan | Egan | Heyman | Miller | Stivers |
| Brace | Evans | Higgins | Monczynski | Sweet |
| Brennan | Farrell | Hoey | Mork | Talmage |
| Brereton | Fay | Hoff | Murray | Terry |
| Bridenbecker | Filley | Hollmann | Myers | Thorn |
| Brooks | Fitzpatrick | Hoyt | Neupert | Trombly |
| Brown | Foley | Huber | Nolan | Turley |
| Bryant | Friedman | Jackson | O'Connor | Walker |
| Bush | Gerhardt | Jameson | Oliver | Ward |
| Butler | Gerken | Jones | O'Neill J J | Waring |
| Carew | Gillen | Kennedy | O'Neil M A | Warren |
| Caughlan | Goldberg | Keys | Parker A | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |
| Cheney | Goodman | LaReau | Phillips C W | Wende |
| Coffey | Goodwin | Lent | Phillips J S | Wheeler |
| Coffin | Gould | Levy A J | Saunders | Wilson |
| Colné | Graubard | Levy J | Schifferdecker | Yale |

| | | | | |
|-------------|---------|-----------|---------|---------|
| Constantine | Gray | MacGregor | Seeley | Yeomans |
| Cosad | Gregg | Manley | Shannon | Young |
| Cross | Gurnett | Martin | Shea | Zorn |
| Cuvillier | | | | |

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Hackett | McCue | Sheide |
| Ahern | Day | Haines | McDaniels | Shepardson |
| Allen | Donnelly | Hammond | McElligott | Shlivek |
| Baumes | Donovan | Hart | McGrath | Shortt |
| Beach | Drummond | Herrick J J | McKeon | Smith A E |
| Blauvelt | Ebbetts | Herrick W R | Merritt | Smith T K |
| Boylan | Egan | Heyman | Miller | Stivers |
| Brace | Evans | Higgins | Monezynski | Sweet |
| Brennan | Farrell | Hoey | Mork | Talmage |
| Brereton | Fay | Hoff | Murray | Terry |
| Bridenbecker | Filley | Hollmann | Myers | Thorn |
| Brooks | Fitzpatrick | Hoyt | Neupert | Trombly |
| Brown | Foley | Huber | Nolan | Turley |
| Bryant | Friedman | Jackson | O'Connor | Walker |
| Bush | Gerhardt | Jameson | Oliver | Ward |
| Butler | Gerken | Jones | O'Neill J J | Waring |
| Carew | Gillen | Kennedy | O'Neil M A | Warren |
| Caughlan | Goldberg | Keys | Parker A | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |
| Cheney | Goodman | LaReau | Phillips C W | Wende |
| Coffey | Goodwin | Lent | Phillips J S | Wheeler |
| Collin | Gould | Levy A J | Saunders | Wilson |
| Colné | Graubard | Levy J | Schifferdecker | Yale |
| Con tantine | Gray | MacGregor | Seeley | Yeomans |
| Cosad | Gregg | Manley | Shannon | Young |
| Cross | Gurnett | Martin | Shea | Zorn |
| Cuvillier | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

The Senate returned Assembly bill (No. 1060, Senate Reprint No. 2043, Int. No. 706), entitled "An act to amend the Greater New York charter, in relation to pensions to members of the po-

lice force," with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 12, insert brackets before the word "being" and after the word "years".

Page 3, line 4, after the word "deputy" insert the word "chief".

Page 3, line 19, strike out the word "dismissed" and insert in place thereof the word "diminished".

Mr. Foley moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Gurnett | Martin | Shepardson |
| Ahern | Dawson | Hackett | McCue | Shlivek |
| Allen | Day | Haines | McDaniels | Shortt |
| Baumes | Donnelly | Hammond | McElligott | Smith A E |
| Beach | Donovan | Hart | McGrath | Smith T K |
| Blauvelt | Drummond | Herrick J J | McKeon | Stivers |
| Boylan | Ebbetts | Herrick W R | Merritt | Sweet |
| Brace | Egan | Heyman | Miller | Talmage |
| Brennan | Evans | Higgins | Monezynski | Terry |
| Brereton | Farrell | Hoey | Mork | Thorn |
| Bridenbecker | Fay | Hoff | Myers | Trombly |
| Brooks | Filley | Hollmann | Neupert | Turley |
| Brown | Fitzpatrick | Hoyt | Nolan | Walker |
| Bryant | Foley | Huber | O'Connor | Ward |
| Bush | Friedman | Jackson | Oliver | Waring |
| Butler | Gerhardt | Jameson | O'Neill J J | Warren |
| Carew | Gerken | Jones | O'Neil M A | Waters F A |
| Caughlan | Gillen | Kennedy | Parker A | Weil |
| Chanler | Goldberg | Keys | Patrie | Wende |
| Cheney | Goldstein | Lansing | Phillips C W | Wheeler |
| Coffey | Goodman | LaReau | Saunders | Wilson |
| Collin | Goodwin | Lent | Schifferdecker | Yale |
| Colné | Gould | Levy A J | Seeley | Yeomans |
| Constantine | Graubard | Levy J | Shannon | Young |
| Cosad | Gray | MacGregor | Shea | Zorn |
| Cross | Gregg | Manley | Sheide | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2154, Senate Reprint No. 2110, Int. No. 1730), entitled "An act to create a State advisory board, in relation to agricultural education and country life advancement," with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 3, strike out the word "twelve" and insert in place thereof the word "eighteen".

Page 2, line 1, strike out the word "three" and insert in place thereof the word "nine".

Mr. Hackett moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Gurnett | McCue | Sheide |
| Ahern | Dawson | Hackett | McDaniels | Shepardson |
| Allen | Day | Haines | McElligott | Shlivek |
| Baumes | Donnelly | Hammond | McGrath | Shortt |
| Beach | Donovan | Hart | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick J J | Merritt | Smith T K |
| Boylan | Ebbetts | Herrick W R | Miller | Stivers |
| Brace | Egan | Heyman | Monczynski | Sweet |
| Brennan | Evans | Higgins | Mork | Talmage |
| Brereton | Farrell | Hoey | Murray | Terry |
| Bridenbecker | Fay | Hoff | Myers | Thorn |
| Brooks | Filley | Hollmann | Neupert | Trombly |
| Brown | Fitzpatrick | Hoyt | Nolan | Turley |
| Bryant | Foley | Huber | O'Connor | Walker |
| Bush | Friedman | Jackson | Oliver | Ward |
| Butler | Gerhardt | Jameson | O'Neill J J | Waring |
| Carew | Gerken | Kennedy | O'Neil M A | Warren |
| Caughlan | Gillen | Keys | Parker A | Waters F A |
| Chanler | Goldberg | Lansing | Patrie | Weil |
| Cheney | Goldstein | LaReau | Phillips C W | Wende |
| Coffey | Goodman | Lent | Phillips J S | Wheeler |
| Collin | Goodwin | Levy A J | Saunders | Wilson |
| Colné | Gould | Levy J | Schifferdecker | Yale |
| Constantine | Graubard | MacGregor | Seeley | Yeomans |
| Cosad | Gray | Manley | Shannon | Young |
| Cross | Gregg | Martin | Shea | Zorn |

Mr. Cosad moved to reconsider the vote by which said Senate amendments were concurred in.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on concurring in said amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Hackett | McCue | Sheide |
| Ahern | Day | Haines | McDaniels | Shepardson |
| Allen | Donnelly | Hammond | McElligott | Shlivek |
| Baumes | Donovan | Hart | McGrath | Shortt |
| Beach | Drummond | Herrick J J | McKeon | Smith A E |
| Blauvelt | Ebbetts | Herrick W R | Merritt | Smith T K |
| Boylan | Egan | Heyman | Miller | Stivers |
| Brace | Evans | Higgins | Monczynski | Sweet |
| Brennan | Farrell | Hoey | Mork | Talmage |
| Breiton | Fay | Hoff | Murray | Terry |
| Bridenbecker | Filley | Hollmann | Myers | Thorn |
| Brooks | Fitzpatrick | Hoyt | Neupert | Trombly |
| Brown | Foley | Huber | Nolan | Turley |
| Bryant | Friedman | Jackson | O'Connor | Walker |
| Bush | Gerhardt | Jameson | Oliver | Ward |
| Butler | Gerken | Jones | O'Neill J J | Waring |
| Carew | Gillen | Kennedy | O'Neil M A | Warren |
| Caughlan | Goldberg | Keys | Parker A | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |
| Cheney | Goodman | LaReau | Phillips C W | Wende |
| Coffey | Goodwin | Lent | Phillips J S | Wheeler |
| Collin | Gould | Levy A J | Saunders | Wilson |
| Colné | Graubard | Levy J | Schifferdecker | Yale |
| Constantine | Gray | MacGregor | Seeley | Yeomans |
| Cosad | Gregg | Manley | Shannon | Young |
| Cross | Gurnett | Martin | Shea | Zorn |
| Cuvillier | | | | |

The Senate returned the Assembly bill (No. 1423, Senate Reprint No. 2216), entitled "An act to amend the Military Law, in relation to retirement and discharge," with a message that they have concurred in the passage of the same, with the following amendment:

Page 4, line 6, at the end of said line strike out the word "immediately" and add in place thereof the following: "December thirty-first, nineteen hundred and eleven."

Mr. Brooks moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar

legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Gurnett | Martin | Shepardson |
| Abern | Dawson | Hackett | McCue | Shlivek |
| Allen | Day | Haines | McDaniels | Shortt |
| Baumes | Donnelly | Hammond | McElligott | Smith A E |
| Beach | Donovan | Hart | McGrath | Smith T K |
| Blauvelt | Drummond | Herrick J J | McKeon | Stivers |
| Boylan | Ebbetts | Herrick W R | Merritt | Sweet |
| Brace | Egan | Heyman | Miller | Talmage |
| Brennan | Evans | Higgins | Monczynski | Terry |
| Brereton | Farrell | Hoey | Mork | Thorn |
| Bridenbecker | Fay | Hoff | Myers | Trombly |
| Brooks | Filley | Hollmann | Neupert | Turley |
| Brown | Fitzpatrick | Hoyt | Nolan | Walker |
| Bryant | Foley | Huber | O'Connor | Ward |
| Bush | Friedman | Jackson | Oliver | Waring |
| Butler | Gerhardt | Jameson | O'Neill J J | Warren |
| Carew | Gerken | Jones | O'Neil M A | Waters F A |
| Caughlan | Gillen | Kennedy | Parker A | Weil |
| Chanler | Goldberg | Keys | Patric | Wende |
| Ch ney | Goldstein | Lansing | Phillips C W | Wheeler |
| Coffey | Goodman | LaReau | Saunders | Wilson |
| Collin | Goodwin | Lent | Schifferdecker | Yale |
| Colné | Gould | Levy A J | Seeley | Yeomans |
| Constantine | Graubard | Levy J | Shannon | Young |
| Cosad | Gray | MacGregor | Shea | Zorn |
| Cross | Gregg | Manley | Sheide | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 2062, Senate Reprint No. 2185, Int. No. 1674), entitled "An act to amend chapter six hundred and eighty-five of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the department of public safety of the city of Syracuse,' " with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 14, after the word "Waters" and before the ensuing period insert the following: ", the owner of any building or structure now existing the removal of which is occasioned or required by any rule or regulation of the department of health of the city of Syracuse made under the provisions of this act may re-

cover from the city of Syracuse all damages occasioned or sustained by such removal of such building or structure or enforcement of any such rule or regulation, including the use of such building or structure if the same is not acquired by said city of Syracuse”.

Page 2, line 22, strike out the word “such” and insert in place thereof the word “property”.

Mr. Hammond moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Gurnett | Manley | Sheide |
| Ahern | Dawson | Hackett | Martin | Shepardson |
| Allen | Day | Haines | McCue | Shlivek |
| Baumes | Donnelly | Hammond | McDaniels | Shortt |
| Beach | Donovan | Hart | McElligott | Smith A E |
| Blauvelt | Drummond | Herrick J J | McGrath | Smith T K |
| Boylan | Ebbetts | Herrick W R | McKeon | Stivers |
| Brace | Egan | Heyman | Merritt | Sweet |
| Brennan | Evans | Higgins | Miller | Talmage |
| Brereton | Farrell | Hoey | Monczynski | Terry |
| Bridenbecker | Fay | Hoff | Mork | Thorn |
| Brooks | Filley | Hollman | Myers | Trombly |
| Brown | Fitzpatrick | Hoyt | Neupert | Turley |
| Bryant | Foley | Huber | Nolan | Walker |
| Bush | Friedman | Jackson | O'Connor | Ward |
| Butler | Gerhardt | Jameson | Oliver | Waring |
| Carew | Gerken | Jones | O'Neill J J | Warren |
| Caughlan | Gillen | Kennedy | O'Neil M A | Waters F A |
| Chanler | Goldberg | Keys | Parker A | Weil |
| Cheney | Goldstein | Lansing | Patrie | Wende |
| Coffey | Goodman | LaReau | Phillips C W | Wheeler |
| Collin | Goodwin | Lent | Saunders | Winters |
| Colné | Gould | Levy A J | Schifferdecker | Yale |
| Constantine | Graubard | Levy J | Seeley | Yeomans |
| Cosad | Gray | Macdonald | Shannon | Young |
| Cross | Gregg | MacGregor | Shea | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2386, Senate Reprint No. 2112, Int. No. 522), entitled “An act to amend the

General Business Law, in relation to private banking and making the same applicable to the entire State," with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 14, after the word "Comptroller" insert in italics the following: "five thousand dollars if the applicant is engaged only in the business of receiving money for transmission to another and otherwise."

Page 2, line 18, insert a bracket before "ten".

Page 2, line 19, insert a bracket after "in".

Page 2, line 21, inclose with brackets the words "of ten thousand dollars" and insert after the second bracket and before the ensuing period the words "that the applicant is required by this section to deposit" in italics.

Page 3, line 9, insert a bracket before "a".

Page 3, line 10, insert a bracket after the second word "dollars" and insert in italics after the bracket and before the ensuing period the following: "five thousand dollars if the applicant is engaged only in the business of receiving money for transmission to another, in all other cases the amount of such penalty shall, if the deposits of the applicants do not exceed twenty-five thousand dollars, be five thousand dollars, and if in excess thereof, the penalty of such bond shall be increased five thousand dollars for each additional twenty-five thousand dollars of deposits, or fraction thereof, not exceeding, however, a maximum penalty of fifty thousand dollars".

Page 5, line 2, change "therefore" to "thereof".

Page 6, line 7, strike out "law".

Page 6, line 9, strike out "companies" and insert in place thereof "company" and inclose with brackets the word "or" and insert before the word "telegraph" the following in italics: "having contracts with railroad companies for the operation of an express service upon the lines of such railroad companies nor to any".

Page 6, line 26, strike out semi-colon.

Page 7, line 11, strike out "registered" and insert in place thereof the word "register".

Page 7, line 21, after the word "superintendent", strike out the words "and their successors" and insert in place thereof the words "or Comptroller".

Page 7, line 22, after the word "conducted" at the end of said line insert in italics the following: "outside of cities of the first class, provided they do not establish any branch office or agency in any city of the first class,".

Page 7, line 23, after the word "register" insert in italics the following: "on or before the first day of January, nineteen hundred and twelve."

Mr. M. A. O'Neil moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Gurnett | Martin | Shepardson |
| Ahern | Dawson | Hackett | McCue | Shlivek |
| Allen | Day | Haines | McDaniels | Shortt |
| Baumes | Donnelly | Hammond | McElligott | Smith A E |
| Beach | Donovan | Hart | McGrath | Smith T K |
| Blauvelt | Drummond | Herrick J J | McKeon | Stivers |
| Boylan | Ebbetts | Herrick W R | Merritt | Sweet |
| Brace | Egan | Heyman | Miller | Talmage |
| Brennan | Evans | Higgins | Monczynski | Terry |
| Brereton | Farrell | Hoey | Mork | Thorn |
| Bridenbecker | Fay | Hoff | Myers | Trombly |
| Brooks | Filley | Hollmann | Neupert | Turley |
| Brown | Fitzpatrick | Hoyt | Nolan | Walker |
| Bryant | Foley | Huber | O'Connor | Ward |
| Bush | Friedman | Jackson | Oliver | Waring |
| Butler | Gerhardt | Jameson | O'Neill J J | Warren |
| Carew | Gerken | Jones | O'Neil M A | Waters F A |
| Caughlan | Gillen | Kennedy | Parker A | Weil |
| Chanler | Goldberg | Keys | Patrie | Wende |
| Cheney | Goldstein | Lansing | Phillips C W | Wheeler |
| Coffey | Goodman | LaReau | Saunders | Wilson |
| Collin | Goodwin | Lent | Schifferdecker | Yale |
| Colné | Gould | Levy A J | Seeley | Yeomans |
| Constantine | Graubard | Levy J | Shannon | Young |
| Cosad | Gray | MacGregor | Shea | Zorn |
| Cross | Gregg | Manley | Sheide | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

A message was received from the Senate, in the words following:

IN SENATE, *July 18, 1911.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 1721, Reprint No.

2239, Rec. No. 404), entitled "An act to amend the Finance Law, in relation to the deposit of State moneys."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Wagner, and by unanimous consent, the same was amended as follows:

Page 4, lines 12 and 13, strike out the words "July first, nineteen hundred and eleven", and insert in place thereof the word "immediately".

Said bill, as amended, was reprinted, re-engrossed, and having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

PATRICK E. McCABE,

Clerk.

Said bill having been announced,

Mr. A. E. Smith moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Cuvillier | Gurnett | Martin | Sheide |
| Ahern | Dawson | Hackett | McCue | Shepardson |
| Allen | Day | Haines | McDaniels | Shlivek |
| Baumes | Donnelly | Hammond | McElligott | Shortt |
| Beach | Donovan | Hart | McGrath | Smith A E |
| Blauvelt | Drummond | Herrick J J | McKeon | Smith T K |
| Boylan | Ebbetts | Herrick W R | Merritt | Stivers |
| Brace | Egan | Heyman | Miller | Sweet |
| Brennan | Evans | Higgins | Monczynski | Talmage |
| Brereton | Farrell | Hoey | Mork | Terry |
| Bridenbecker | Fav | Hoff | Myers | Thorn |
| Brooks | Filley | Hollmann | Neupert | Trombly |
| Brown | Fitzpatrick | Hoyt | Nolan | Turley |
| Bryant | Foley | Huber | O'Connor | Walker |
| Bush | Friedman | Jackson | Oliver | Ward |
| Butler | Gerhardt | Jameson | O'Neill J J | Waring |
| Carew | Gerken | Jones | O'Neil M A | Warren |
| Caughlan | Gillen | Kennedy | Parker A | Waters F A |
| Chanler | Goldberg | Keys | Patrie | Weil |
| Cheney | Goldstein | Lansing | Phillips C W | Wende |
| Coffey | Goodman | LaReau | Pierce | Wheeler |
| Collin | Goodwin | Lent | Saunders | Wilson |

| | | | | |
|-------------|----------|-----------|----------------|---------|
| Colné | Gould | Levy A J | Schifferdecker | Yale |
| Constantine | Graubard | Levy J | Seeley | Yeomans |
| Cosad | Gray | MacGregor | Shannon | Young |
| Cross | Gregg | Manley | Shea | Zorn |

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Gurnett | McCue | Shepardson |
| Ahern | Dawson | Hackett | McDaniels | Shlivek |
| Allen | Day | Haines | McElligott | Shortt |
| Baumes | Donnelly | Hammond | McGrath | Smith A E |
| Beach | Donovan | Hart | McKeon | Smith T K |
| Blauvelt | Drummond | Herrick J J | Merritt | Stivers |
| Boylan | Ebbetts | Herrick W R | Miller | Sweet |
| Brace | Egan | Heyman | Monczynski | Talmage |
| Brennan | Evans | Hoey | Mor'k | Terry |
| Brereton | Farrell | Hoff | Myers | Thorn |
| Bridenbecker | Fay | Hollmann | Neupert | Trombly |
| Brooks | Filley | Hoyt | Nolan | Turley |
| Brown | Fitzpatrick | Huber | O'Connor | Walker |
| Bryant | Foley | Jackson | Oliver | Ward |
| Bush | Friedman | Jameson | O'Neill J J | Waring |
| Butler | Gerhardt | Jones | O'Neil M A | Warren |
| Carew | Gerken | Kennedy | Parker A | Waters F A |
| Caughlan | Gillen | Keys | Patrie | Weil |
| Chanler | Goldberg | Lansing | Phillips C W | Wende |
| Cheney | Goldstein | LaReau | Saunders | White |
| Coffey | Goodman | Lent | Schifferdecker | Winters |
| Collin | Goodwin | Levy A J | Seeley | Yale |
| Colné | Gould | Levy J | Shannon | Yeomans |
| Constantine | Graubard | MacGregor | Shea | Young |
| Cosad | Gray | Manley | Sheide | Zorn |
| Cross | Gregg | Martin | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

A message was received from the Senate, in the words following:

IN SENATE, *July 18, 1911.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 1613, Reprint No.

2202, Rec. No. 371), entitled "An act to amend the Second Class Cities Law, relative to designation of official papers."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. McManus, and by unanimous consent, the same was amended as follows:

Page 2, line 22, after "and" insert as old matter and not in italics the following: "accounts for publication in official newspapers and all city printing and".

Said bill, as amended, was reprinted, re-engrossed, and having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

PATRICK E. McCABE,
Clerk.

Said bill having been announced,

Mr. Foley moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Gurnett | Martin | Shepardson |
| Ahern | Dawson | Hackett | McCue | Shivek |
| Allen | Day | Haines | McDaniels | Shortt |
| Baumes | Donnelly | Hammond | McElligott | Smith A E |
| Beach | Donovan | Hart | McGrath | Smith T K |
| Blauvelt | Drummond | Herrick J J | McKeon | Stivers |
| Boylan | Ebbetts | Herrick W R | Meritt | Sweet |
| Brace | Egan | Heyman | Miller | Talmage |
| Brennan | Evans | Higgins | Moneczynski | Terry |
| Brereton | Farrell | Hoey | Mork | Thorn |
| Bridenbecker | Fay | Hoff | Myers | Trombly |
| Brooks | Filley | Hollmann | Neupert | Turley |
| Brown | Fitzpatrick | Hoyt | Nolan | Walker |
| Bryant | Foley | Huber | O'Connor | Ward |
| Bush | Friedman | Jackson | Oliver | Waring |
| Butler | Gerhardt | Jameson | O'Neill J J | Warren |
| Carew | Gerken | Jones | O'Neil M A | Waters F A |
| Caughlan | Gillen | Kennedy | Parker A | Weil |
| Chanler | Goldberg | Keys | Patrie | Wende |
| Cheney | Goldstein | Lansing | Phillips C W | Wheeler |
| Coffey | Goodman | LaReau | Saunders | Wilson |
| Collin | Goodwin | Lent | Schifferdecker | Yale |
| Colné | Gould | Levy A J | Seeley | Yeomans |
| Constantine | Graubard | Levy J | Shannon | Young |
| Cosad | Gray | MacGregor | Shea | Zorn |
| Cross | Gregg | Manley | Sheide | |

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Gurnett | Martin | Shepardson |
| Ahern | Dawson | Hackett | McCue | Shlivek |
| Allen | Day | Haines | McDaniels | Shortt |
| Baumes | Donnelly | Hammond | McElligott | Smith A E |
| Beach | Donovan | Hart | McGrath | Smith T K |
| Blauvelt | Drummond | Herrick J J | McKeon | Stivers |
| Boylan | Ebbetts | Herrick W R | Merritt | Sweet |
| Brace | Egan | Heyman | Miller | Talmage |
| Brennan | Evans | Higgins | Monczynski | Terry |
| Brereton | Farrell | Hoey | Mork | Thorn |
| Bridenbecker | Fay | Hoff | Myers | Trombly |
| Brooks | Filley | Hollmann | Neupert | Turley |
| Brown | Fitzpatrick | Hoyt | Nolan | Walker |
| Bryant | Foley | Huber | O'Connor | Ward |
| Bush | Friedman | Jackson | Oliver | Waring |
| Butler | Gerhardt | Jameson | O'Neill J J | Warren |
| Carew | Gerken | Jones | O'Neil M A | Waters F A |
| Caughlan | Gillen | Kennedy | Parker A | Weil |
| Chanler | Goldberg | Keys | Patrie | Wende |
| Cheney | Goldstein | Lansing | Phillips C W | Wheeler |
| Coffey | Goodman | LaReau | Saunders | Wilson |
| Collin | Goodwin | Lent | Schifferdecker | Yale |
| Colné | Gould | Levy A J | Seeley | Yeomans |
| Constantine | Graubard | Levy J | Shannon | Young |
| Cosad | Gray | MacGregor | Shea | Zorn |
| Cross | Gregg | Manley | Sheide | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

A message was received from the Senate, in the words following:

IN SENATE, *July 18, 1911.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 1256, Reprint No. 2201, Rec. No. 168), entitled "An act to amend the Penal Law, relative to appointment of special officers, and of making arrest without lawful authority."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. McManus, and by unanimous consent, the same was amended as follows:

Page 2, line 8, bracket before " [a ".

Page 2, line 9, strike out the word " citizen ".

Page 2, line 9, strike out after the word " city " the remainder of line.

Page 2, line 10, -strike out the words " cases entitled to vote in ".

Page 2, line 10, bracket before " [the ".

Page 2, line 11, closing "] " after " appointment ".

Said bill, as amended, was reprinted, re-engrossed, and having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

PATRICK E. McCABE,

Clerk.

Said bill having been announced,

Mr. Foley moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Cuvillier | Gurnett | McCue | Shepardson |
| Ahern | Dawson | Hackett | McDaniels | Shlivek |
| Allen | Day | Haines | McElligott | Shortt |
| Baumes | Donnelly | Hammond | McGrath | Smith A E |
| Beach | Donovan | Hart | McKeon | Smith T K |
| Blauvelt | Drummond | Herrick J J | Merritt | Spielberg |
| Boylan | Ebbetts | Herrick W R | Miller | Sweet |
| Brace | Egan | Heyman | Monczynski | Talmage |
| Brennan | Evans | Higgins | Mork | Terry |
| Brereton | Farrell | Hoey | Myers | Thorn |
| Bridenbecker | Fay | Hoff | Neupert | Trombly |
| Brooks | Fillely | Hollmann | Nolan | Turley |
| Brown | Fitzpatrick | Hoyt | O'Connor | Walker |
| Bryant | Foley | Huber | Oliver | Ward |
| Bush | Friedman | Jackson | O'Neill J J | Waring |
| Butler | Gerhardt | Jamezon | O'Neil M A | Warren |
| Carew | Gerken | Kennedy | Parker A | Waters F A |
| Caughlan | Gillen | Keys | Patrie | Weil |
| Chanler | Goldberg | Lausing | Phillips C W | Wende |

| | | | | |
|-------------|-----------|-----------|----------------|---------|
| Cheney | Goldstein | LaReau | Saunders | Wheeler |
| Coffey | Goodman | Lent | Schifferdecker | Wilson |
| Collin | Goodwin | Levy A J | Seeley | Yale |
| Colné | Gould | Levy J | Shannon | Yeomans |
| Constantine | Graubard | MacGregor | Shea | Young |
| Cosad | Gray | Manley | Sheide | Zorn |
| Cross | Gregg | Martin | | |

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Gurnett | Martin | Shepardson |
| Ahern | Dawson | Hackett | McCue | Shlivek |
| Allen | Day | Haines | McDaniels | Shortt |
| Baumes | DeLano | Hammond | McElligott | Smith A E |
| Beach | Donovan | Hart | McGrath | Smith T K. |
| Blauvelt | Drummond | Herrick J J | McKeon | Stivers |
| Boylan | Ebbetts | Herrick W R | Merritt | Sweet |
| Brace | Egan | Heyman | Miller | Talmage |
| Brennan | Evans | Higgins | Monczynski | Terry |
| Brereton | Farrell | Hoey | Mork | Thorn |
| Bridenbecker | Fay | Hoff | Myers | Trombly |
| Brooks | Filley | Hollman | Neupert | Turley |
| Brown | Fitzpatrick | Hoyt | Nolan | Walker |
| Bryant | Foley | Huber | O'Connor | Ward |
| Bush | Friedman | Jackson | Oliver | Waring |
| Butler | Gerhardt | Jameson | O'Neill J J | Warren |
| Carew | Gerken | Jones | O'Neill M A | Waters F A |
| Caughlan | Gillen | Kennedy | Parker A | Weil |
| Chanler | Goldberg | Keys | Patrie | Wende |
| Cheney | Goldstein | Lansing | Phillips C W | Wheeler |
| Coffey | Goodman | LaReau | Saunders | Wilson |
| Collin | Goodwin | Lent | Schifferdecker | Yale |
| Colné | Gould | Levy A J | Seeley | Yeomans |
| Constantine | Graubard | Levy J | Shannon | Young |
| Cosad | Gray | MacGregor | Shea | Zorn |
| Cross | Gregg | Manley | Sheide | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

A communication was received from Hon. L. P. Fuhrmann, mayor of the city of Buffalo, returning Assembly bill (No. 2518,

Int. No. 1928), entitled "An act creating a railway terminal station commission of the city of Buffalo, defining its powers and authorizing said city to issue its bonds," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

Mr. Speaker stated the question to be, "Shall this bill pass notwithstanding the objections of the mayor of the city of Buffalo thereto?"

Debate was had thereon.

Mr. Speaker put the question and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 76

NOES 44

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|-------------|----------------|------------|
| Adler | Egan | Gurnett | McDaniels | Seeley |
| Blauvelt | Evans | Hackett | McElligott | Sheide |
| Boylan | Farrell | Herrick J J | McGrath | Shortt |
| Brennan | Fay | Heyman | McKeon | Smith A E |
| Bush | Fitzpatrick | Hoey | Miller | Stivers |
| Carew | Foley | Hollmann | Monczynski | Sweet |
| Caughlan | Geatons | Hoyt | Mork | Trombly |
| Chanler | Gerhardt | Huber | Neupert | Turley |
| Cheney | Gerken | Jackson | Oliver | Walker |
| Cosad | Gillen | Jameson | O'Neill J J | Warren |
| Cuvillier | Goldberg | Keys | O'Neil M A | Waters F A |
| Dawson | Goldstein | Levy A J | Patrie | Weil |
| Day | Gould | Manley | Phillips C W | Wilson |
| Donnelly | Graubard | Martin | Saunders | Yale |
| Donovan | Gregg | McCue | Schifferdecker | Zorn |
| Drummond | | | | |

Those who voted in the negative were:

| | | | | |
|--------------|-------------|---------|--------------|------------|
| Ahern | Coffey | Gray | MacGregor | Shepardson |
| Allen | Collin | Haines | Merritt | Smith T K |
| Beach | Colné | Hammond | Murray | Terry |
| Brace | Constantine | Hart | Myers | Thorn |
| Brereton | Ebbetts | Higgins | Nolan | Waring |
| Bridenbecker | Filley | Hoff | Pappert | Wende |
| Brooks | Friedman | Lansing | Phillips J S | Wheeler |
| Bryant | Goodman | LaReau | Shannon | Young |
| Butler | Goodwin | Levy J | Shea | |

Mr. MacGregor moved to reconsider the vote by which said bill was passed, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was decided in the negative.

Mr. Speaker then put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 38

NOES 67

Those who voted in the affirmative were:

| | | | | |
|----------|-------------|-----------|--------------|------------|
| Ahern | Butler | Hart | Murray | Smith T K |
| Allen | Coffey | Higgins | Myers | Terry |
| Beach | Colné | Hoff | Nolan | Thorn |
| Brace | Constantine | Jones | Parker A | Ward |
| Brereton | Ebbetts | LaReau | Phillips J S | Waters F A |
| Brooks | Filley | Lent | Shannon | Wende |
| Brown | Gray | MacGiegor | Shepardson | Young |
| Bryant | Hammond | Merriitt | | |

Those who voted in the negative were:

| | | | | |
|--------------|-------------|-------------|-------------|-----------|
| Adler | Egan | Gurnett | Martin | Patrie |
| Blauvelt | Evans | Hackett | McCue | Seeley |
| Boylan | Farrell | Herrick J J | McDaniels | Sheide |
| Bridenbecker | Fay | Herrick W R | McElligott | Shortt |
| Bush | Fitzpatrick | Heyman | McGrath | Spielberg |
| Carew | Geatons | Hoey | McKeon | Stivers |
| Caughlan | Gerhardt | Hollmann | Miller | Trombly |
| Cheney | Gerken | Hoyt | Monezynski | Turley |
| Collin | Gillen | Huber | Mork | Walker |
| Cosad | Goldberg | Jackson | Neupert | Weil |
| Cuvillier | Goldstein | Jameson | Oliver | Wheeler |
| Dawson | Gould | Keys | O'Neill J J | Wilson |
| Day | Graubard | Manley | O'Neil M A | Zorn |
| Donnelly | Gregg | | | |

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2570, Int. No. 1006), entitled "An act to amend chapter five hundred and fifty-seven, Laws of eighteen hundred and ninety-four, entitled 'An act to provide for a commission of jurors in counties containing cities of from ninety to ninety-six thousand inhabitants,' in relation to excepting the county of Rensselaer from the operation thereof, and to terminate the office, powers and duties of the present commissioners of jurors in such county."

Said bill having been announced for a second reading,

On motion of Mr. Patrie, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Friday next.

Mr. Brennan in the chair.

Mr. Speaker announced the special order, being the Senate bill (No. 2072, Rec. No. 532), entitled "An act to amend the General City Law, in relation to license to operate moving picture apparatus."

On motion of Mr. Cuvillier, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 81

NOES 9

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Adler | Fay | Hoff | Merritt | Shortt |
| Blauvelt | Foley | Hollmann | Miller | Smith A E |
| Boylan | Friedman | Huber | Monczynski | Smith T K |
| Brennan | Geatons | Jackson | Mork | Spielberg |
| Bridenbecker | Gerken | Jameson | Myers | Stivers |
| Carew | Gillen | Kennedy | Neupert | Terry |
| Caughlan | Goldberg | Keys | No'an | Trombly |
| Collin | Goldstein | LaReau | O'Connor | Turley |
| Cosad | Graubard | Levy A J | Oliver | Ward |
| Cuvillier | Gregg | Levy J | O'Neil M A | Warren |
| Dawson | Gurnett | Manley | Parker A | Waters F A |
| Day | Hackett | McCue | Patrie | Weil |
| Donnelly | Hammond | McDaniels | Phillips J S | Wende |
| Donovan | Hearn | McElligott | Schifferdecker | Wheeler |
| Drummond | Herrick W R | McGrath | Seeley | Yale |
| Ebbetts | Heyman | McKeon | Shepardscn | Young |
| Farrell | | | | |

Those who voted in the negative were:

| | | | | |
|-------------|-------|-------------|---------|--------|
| Cheney | Cross | Herrick J J | Murray | Walker |
| Constantine | Gray | Higgins | Shlivek | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker in the chair.

Mr. Speaker announced the special order, being the Senate bill (No. 1880, Rec. No. 540), entitled "An act to amend the Tax Law, by adding article fifteen, relative to taxation of secured debts."

Debate was had thereon, when Mr. A. E. Smith moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?", and it was determined in the affirmative.

On motion of Mr. Goldberg, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 77

NOES 49

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|-------------|-------------|-----------|
| Beach | Drummond | Hearn | Martin | Patrie |
| Blauvelt | Egan | Herrick J J | McCue | Saunders |
| Boylan | Evans | Herrick W R | McDaniels | Seeley |
| Brace | Farrell | Heyman | McElligott | Shortt |
| Brennan | Fay | Hoey | McGrath | Smith A E |
| Bridenbecker | Foley | Hollmann | McKeon | Spielberg |
| Bush | Friedman | Hoyt | Miller | Trombly |
| Carew | Geatons | Huber | Monczynski | Turley |
| Caughlan | Gerken | Jackson | Mork | Walker |
| Chanler | Goldberg | Jameson | Myers | Warren |
| Collin | Goldstein | Kennedy | Neupert | Washburn |
| Cuvillier | Gould | LaReau | Oliver | Weil |
| Dawson | Graubard | Levy A J | O'Neill J J | Wende |
| Day | Gregg | Levy J | O'Neil M A | Wheeler |
| Donnelly | Gurnett | Manley | Parker A | Speaker |
| Donovan | Hackett | | | |

Those who voted in the negative were:

| | | | | |
|----------|-------------|-----------|----------------|------------|
| Adler | Coffey | Hammond | Parker J S | Stivers |
| Ahern | Colné | Hoff | Phillips C W | Sweet |
| Allen | Constantine | Jones | Phillips J S | Terry |
| Baumes | Cosad | Keys | Schifferdecker | Thorn |
| Brereton | Cross | Lent | Shannon | Waring |
| Brooks | Ebbetts | MacGregor | Shea | Waters F A |
| Brown | Fitzpatrick | Merritt | Sheide | Yale |
| Bryant | Gerhardt | Murray | Shepardson | Young |
| Butler | Goodman | Nolan | Shlivek | Zorn |
| Cheney | Gray | O'Connor | Smith T K | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2097, Rec. No. 553), entitled "An act to amend the Tax Law, in relation to taxable transfers."

On motion of Mr. Goldberg, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 82

NOES 29

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|-------------|----------------|------------|
| Beach | Donovan | Herrick J J | McDaniels | Shortt |
| Blauvelt | Drummond | Herrick W R | McElligott | Smith A E |
| Brace | Egan | Heyman | McGrath | Smith T K |
| Brennan | Evans | Hoey | McKeon | Spielberg |
| Brereton | Farrell | Hollmann | Miller | Sweet |
| Bridenbecker | Fay | Hoyt | Murray | Terry |
| Bush | Foley | Huber | Myers | Trombly |
| Carew | Geatons | Jackson | Neupert | Turley |
| Caughlan | Gerken | Jameson | O'Connor | Walker |
| Chanler | Gillen | Kennedy | Oliver | Washburn |
| Collin | Goldberg | LaReau | O'Neill J J | Waters F A |
| Colné | Gould | Levy A J | O'Neil M A | Weil |
| Cosad | Graubard | Levy J | Patrie | Wende |
| Cuvillier | Gurnett | Manley | Schifferdecker | Wheeler |
| Dawson | Hackett | Martin | Seeley | Wilson |
| Day | Haines | McCue | Shlivek | Yale |
| Donnelly | Hart | | | |

Those who voted in the negative were:

| | | | | |
|--------|-------------|-----------|--------------|------------|
| Adler | Cheney | Gray | Merritt | Shepardson |
| Ahern | Coffey | Hammond | Nolan | Stivers |
| Baumes | Constantine | Higgins | Parker J S | Thorn |
| Brooks | Cross | Keys | Phillips J S | Waring |
| Bryant | Ebbetts | Lent | Shannon | Young |
| Butler | Goodman | MacGregor | Sheide | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 292, Rec. No. 185), entitled "An act to amend the Railroad Law, in relation to the number of the crew required for operating certain locomotive engines."

On motion of Mr. Jackson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 79

NOES 20

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|-------------|--------------|------------|
| Allen | Day | Haines | Levy A J | Seeley |
| Baumes | Donnelly | Hearn | Manley | Shannon |
| Beach | Egan | Herrick J J | Martin | Sheide |
| Brace | Evans | Heyman | McCue | Shepardson |
| Brennan | Fay | Higgins | McDaniels | Smith T K |
| Brereton | Filley | Hoey | McElligott | Spielberg |
| Bridenbecker | Foley | Hollmann | McGrath | Sweet |
| Carew | Friedman | Hoyt | McKeon | Terry |
| Chanler | Geatons | Huber | Monczynski | Trombly |
| Cheney | Gerken | Jackson | Mork | Turley |
| Collin | Goldberg | Jones | Myers | Walker |
| Colné | Gould | Kennedy | Neupert | Warren |
| Constantine | Graubard | Kopp | O'Connor | Waters F A |
| Cosad | Gregg | Lansing | O'Neill J J | Weil |
| Cuvillier | Gurnett | LaReau | Phillips C W | Yale |
| Dawson | Hackett | Lent | Saunders | |

Those who voted in the negative were:

| | | | | |
|----------|----------|-------------|--------------|---------|
| Adler | Caughlan | Gray | Murray | Stivers |
| Blauvelt | Cross | Hammond | Nolan | Ward |
| Bryant | Drummond | Herrick W R | Patrie | Waring |
| Butler | Ebbetts | Hoff | Phillips J S | Wilson |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Chanler in the chair.

Mr. Speaker announced the special order, being the Senate bill (No. 2081, Rec. No. 560), entitled "An act to amend the Judiciary Law, in relation to the appointment and compensation of

official referees by the Appellate Division of the Supreme Court in the first department."

Debate was had thereon.

Mr. Speaker in the chair.

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 11

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|-------------|----------------|------------|
| Ahern | Day | Gurnett | Manley | Shannon |
| Baumes | Donnelly | Hackett | Martin | Shea |
| Beach | Donovan | Haines | McCue | Sheide |
| Blauvelt | Drummond | Hammond | McDaniels | Shepardson |
| Boylan | Ebbetts | Hart | McElligott | Shortt |
| Brace | Egan | Herrick J J | McGrath | Smith A E |
| Brennan | Evans | Herrick W R | McKeon | Smith T K |
| Brereton | Farrell | Heyman | Merritt | Stivers |
| Brooks | Fay | Higgins | Miller | Sweet |
| Brown | Filley | Hoey | Monczynski | Talmage |
| Bryant | Fitzpatrick | Hoff | Mork | Terry |
| Bush | Foley | Hollmann | Myers | Thorn |
| Butler | Friedman | Hoyt | Neupert | Trombly |
| Carew | Gerhardt | Huber | Nolan | Turley |
| Caughlan | Gerken | Jackson | O'Connor | Walker |
| Chanler | Gillen | Jameson | Oliver | Waring |
| Cheney | Goldberg | Jones | O'Neill J J | Warren |
| Coffey | Goldstein | Kennedy | O'Neil M A | Waters F A |
| Collin | Goodman | Keys | Parker A | Weil |
| Connell | Goodwin | Lansing | Patrie | Wende |
| Cosad | Gould | LaReau | Phillips C W | Wheeler |
| Cross | Graubard | Lent | Saunders | Yale |
| Cuvillier | Gray | Levy J | Schifferdecker | Yeomans |
| Dawson | Gregg | MacGregor | Seeley | Zorn |

Those who voted in the negative were:

| | | | | |
|--------------|----------|--------------|---------|--------|
| Adler | Colné | Murray | Shlivek | Wilsen |
| Allen | Levy A J | Phillips J S | Ward | Young |
| Bridenbecker | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1568, Rec. No. 299), entitled "An act to amend the County Law, in relation to business hours in certain offices in the counties of Rensselaer and Saratoga."

On motion of Mr. Lansing, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Hackett | McCue | Sheide |
| Ahern | Day | Haines | McDaniels | Shepardson |
| Allen | Donnelly | Hammond | McElligott | Shlivek |
| Baumes | Donovan | Hart | McGrath | Shortt |
| Beach | Drummond | Herrick J J | McKeon | Smith A E |
| Blauvelt | Ebbetts | Herrick W R | Merritt | Smith T K |
| Boylan | Egan | Heyman | Miller | Stivers |
| Brace | Evans | Higgins | Monczynski | Sweet |
| Brennan | Farrell | Hoey | Mork | Talmage |
| Brereton | Fay | Hoff | Murray | Terry |
| Bridenbecker | Filley | Hollmann | Myers | Thorn |
| Brooks | Fitzpatrick | Hoyt | Neupert | Trombly |
| Brown | Foley | Huber | Nolan | Turley |
| Bryant | Friedman | Jackson | O'Connor | Walker |
| Bush | Gerhardt | Jameson | Oliver | Ward |
| Butler | Gerken | Jones | O'Neill J J | Waring |
| Carew | Gillen | Kennedy | O'Neil M A | Warren |
| Caughlan | Goldberg | Keys | Parker A | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |
| Cheney | Goodman | LaReau | Phillips C W | Wende |
| Coffey | Goodwin | Lent | Phillips J S | Wheeler |
| Collin | Gould | Levy A J | Saunders | Wilson |
| Colné | Graubard | Levy J | Schifferdecker | Yale |
| Constantine | Gray | MacGregor | Seeley | Yeomans |
| Cosad | Gregg | Manley | Shannon | Young |
| Cross | Gurnett | Martin | Shea | Zorn |
| Cuvillier | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill

(No. 2101, Rec. No. 554), entitled "An act to authorize the audit and payment of certain claims by the county of Rensselaer."

On motion of Mr. Lansing, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Gurnett | McCue | Sheide |
| Ahern | Dawson | Hackett | McDaniels | Shepardson |
| Allen | Day | Haines | McElligott | Shlivek |
| Baumes | Donnelly | Hammond | McGrath | Shortt |
| Beach | Donovan | Hart | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick J J | Merritt | Smith T K |
| Boylan | Ebbetts | Herrick W R | Miller | Stivers |
| Brace | Egan | Heyman | Monczynski | Sweet |
| Brennan | Evans | Higgins | Mork | Talmage |
| Brereton | Farrell | Hoey | Murray | Terry |
| Bridenbecker | Fay | Hoff | Myers | Thorn |
| Brooks | Filley | Hollmann | Neupert | Trombly |
| Brown | Fitzpatrick | Hoyt | Nolan | Turley |
| Bryant | Foley | Huber | O'Connor | Walker |
| Bush | Friedman | Jackson | Oliver | Ward |
| Butler | Gerhardt | Jameson | O'Neill J J | Waring |
| Carew | Gerken | Kennedy | O'Neil M A | Warren |
| Caughlan | Gillen | Keys | Parker A | Waters F A |
| Chanler | Goldberg | Lansing | Patrie | Weil |
| Cheney | Goldstein | LaReau | Phillips C W | Wende |
| Coffey | Goodman | Lent | Phillips J S | Wheeler |
| Collin | Goodwin | Levy A J | Saunders | Wilson |
| Colne | Gould | Levy J | Schifferdecker | Yale |
| Constantine | Graubard | MacGregor | Seeley | Yeomans |
| Cosad | Gray | Manley | Shannon | Young |
| Cross | Gregg | Martin | Shea | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1971, Rec. No. 509), entitled "An act to amend 'An act for the incorporation of the Skaneateles Railroad Company, and to operate a railroad from the village of Skaneateles Junction,'

passed April seventeenth, eighteen hundred and sixty-six, in relation to the continuance of its corporate existence."

On motion of Mr. Hammond, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Gurnett | McCue | Sheide |
| Ahern | Dawson | Hackett | McDaniels | Shepardson |
| Allen | Day | Haines | McElligott | Shlivek |
| Baumes | Donnelly | Hammond | McGrath | Shortt |
| Beach | Donovan | Hart | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick J J | Merritt | Smith T K |
| Boylan | Ebbetts | Herrick W R | Miller | Stivers |
| Brace | Egan | Heyman | Monczynski | Sweet |
| Brennan | Evans | Higgins | Mork | Talmage |
| Brereton | Farrell | Hoey | Murray | Terry |
| Bridenbecker | Fay | Hoff | Myers | Thorn |
| Brooks | Filley | Hollmann | Neupert | Trombly |
| Brown | Fitzpatrick | Hoyt | Nolan | Turley |
| Bryant | Foley | Huber | O'Connor | Walker |
| Bush | Friedman | Jackson | Oliver | Ward |
| Butler | Gerhardt | Jameson | O'Neill J J | Waring |
| Carew | Gerken | Kennedy | O'Neil M A | Warren |
| Caughlan | Gillen | Keys | Parker A | Waters F A |
| Chanler | Goldberg | Lansing | Patrie | Weil |
| Cheney | Goldstein | LaReau | Phillips C W | Wende |
| Coffey | Goodman | Lent | Phillips J S | Wheeler |
| Collin | Goodwin | Levy A J | Saunders | Wilson |
| Colné | Gould | Levy J | Schifferdecker | Yale |
| Constantine | Graubard | MacGregor | Seeley | Yeomans |
| Cosad | Gray | Manley | Shannon | Young |
| Cross | Gregg | Martin | Shea | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 190, Rec. No. 460), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to article seven, section eight of the Constitution, in relation to canals."

On motion of Mr. Jackson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Gurnett | McCue | Sheide |
| Ahern | Dawson | Hackett | McDaniels | Shepardson |
| Allen | Day | Haines | McElligott | Shlivek |
| Baumes | Donnelly | Hammond | McGrath | Shortt |
| Beach | Donovan | Hart | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick J J | Merritt | Smith T K |
| Boylan | Ebbetts | Herrick W R | Miller | Stivers |
| Brace | Egan | Heyman | Monczynski | Sweet |
| Brennan | Evans | Higgins | Mork | Talmage |
| Brereton | Farrell | Hoey | Murray | Terry |
| Bridenbecker | Fay | Hoff | Myers | Thorn |
| Brooks | Filley | Hollmann | Neupert | Trombly |
| Brown | Fitzpatrick | Hoyt | Nolan | Turley |
| Bryan | Foley | Huber | O'Connor | Walker |
| Bush | Friedman | Jackson | Oliver | Ward |
| Butler | Gerhardt | Jameson | O'Neill J J | Waring |
| Carew | Gerken | Kennedy | O'Neil M A | Warren |
| Caughlan | Gillen | Keys | Parker A | Waters F A |
| Chanler | Goldberg | Lansing | Patrie | Weil |
| Cheney | Goldstein | LaReau | Phillips C W | Wende |
| Coffey | Goodman | Lent | Phillips J S | Wheeler |
| Collin | Goodwin | Levy A J | Saunders | Wilson |
| Colné | Gould | Levy J | Schifferdecker | Yale |
| Constantine | Graubard | MacGregor | Seeley | Yeomans |
| Cosad | Gray | Manley | Shannon | Young |
| Cross | Gregg | Martin | Shea | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2010, Rec. No. 523), entitled "An act to amend the Highway Law, in relation to the courses and descriptions of route seven of the State highway system."

On motion of Mr. Shepardson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Gurnett | McCue | Sheide |
| Ahern | Dawson | Hackett | McDaniels | Shepardson |
| Allen | Day | Haines | McElligott | Shlivek |
| Baumes | Donnelly | Hammond | McGrath | Shortt |
| Beach | Donovan | Hart | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick J J | Merritt | Smith T K |
| Boylan | Ebbetts | Herrick W R | Miller | Stivers |
| Brace | Egan | Heyman | Monczynski | Sweet |
| Brennan | Evans | Higgins | Mork | Talmage |
| Brereton | Farrell | Hoey | Murray | Terry |
| Bridenbecker | Fay | Hoff | Myers | Thorn |
| Brooks | Filley | Hollmann | Neupert | Trombly |
| Brown | Fitzpatrick | Hoyt | Nolan | Turley |
| Bryant | Foley | Huber | O'Connor | Walker |
| Bush | Friedman | Jackson | Oliver | Ward |
| Butler | Gerhardt | Jameson | O'Neill J J | Waring |
| Carew | Gerken | Kennedy | O'Neil M A | Warren |
| Caughlan | Gillen | Keys | Parker A | Waters F A |
| Chanler | Goldberg | Lansing | Patrie | Weil |
| Cheney | Goldstein | LaReau | Phillips C W | Wende |
| Coffey | Goodman | Lent | Phillips J S | Wheeler |
| Collin | Goodwin | Levy A J | Saunders | Wilson |
| Colné | Gould | Levy J | Schifferdecker | Yale |
| Constantine | Graubard | MacGregor | Seeley | Yeomans |
| Cosad | Gray | Manley | Shannon | Young |
| Cross | Gregg | Martin | Shea | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 447, Rec. No. 86), entitled "An act to provide for an investigation into the subject of utilizing sewage for fertilizer, and making an appropriation therefor."

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Gurnett | McCue | Sheide |
| Ahern | Dawson | Hackett | McDaniels | Shepardson |
| Allen | Day | Haines | McElligott | Shlivek |
| Baumes | Donnelly | Hammond | McGrath | Shortt |
| Beach | Donovan | Hart | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick J J | Merritt | Smith T K |
| Boylan | Ebbetts | Herrick W R | Miller | Stivers |
| Brace | Egan | Heyman | Monczynski | Sweet |
| Brennan | Evans | Higgins | Mork | Talmage |
| Brereton | Farrell | Hoey | Murray | Terry |
| Bridenbecker | Fay | Hoff | Myers | Thorn |
| Brooks | Filley | Hollmann | Neupert | Trombly |
| Brown | Fitzpatrick | Hoyt | Nolan | Turley |
| Bryant | Foley | Huber | O'Connor | Walker |
| Bush | Friedman | Jackson | Oliver | Ward |
| Butler | Gerhardt | Jameson | O'Neill J J | Waring |
| Carew | Gerken | Kennedy | O'Neil M A | Warren |
| Caughlan | Gillen | Keys | Parker A | Waters F A |
| Chanler | Goldberg | Lansing | Patrie | Weil |
| Cheney | Goldstein | LaReau | Phillips C W | Wende |
| Coffey | Goodman | Lent | Phillips J S | Wheeler |
| Collin | Goodwin | Levy A J | Saunders | Wilson |
| Colné | Gould | Levy J | Schifferdecker | Yale |
| Constantine | Graubard | MacGregor | Seeley | Yeomans |
| Cosad | Gray | Manley | Shannon | Young |
| Cross | Gregg | Martin | Shea | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1771, Rec. No. 400), entitled "An act to amend the Banking Law, in relation to savings and loan associations."

On motion of Mr. M. A. O'Neil, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Haines | McDaniels | Shepardson |
| Ahern | Day | Hammond | McElligott | Shlivek |
| Allen | Donnelly | Hart | McGrath | Shortt |
| Baumes | Donovan | Herrick J J | McKeon | Smith A E |
| Beach | Drummond | Herrick W R | Merritt | Smith T K |
| Blauvelt | Ebbetts | Heyman | Miller | Stivers |
| Boylan | Egan | Higgins | Monczynski | Sweet |
| Brace | Evans | Hoey | Mork | Talmage |
| Brennan | Farrell | Hoff | Murray | Terry |
| Brereton | Fay | Hollmann | Myers | Thorn |
| Bridenbecker | Filley | Hoyt | Neupert | Trombly |
| Brooks | Fitzpatrick | Huber | Nolan | Turley |
| Brown | Foley | Jackson | O'Connor | Walker |
| Bryant | Friedman | Jameson | Oliver | Ward |
| Bush | Gerhardt | Jones | O'Neill J J | Waring |
| Butler | Gerken | Kennedy | O'Neil M A | Warren |
| Carew | Gillen | Keys | Parker A | Waters F A |
| Caughlan | Goldberg | Lansing | Patrie | Weil |
| Chanler | Goldstein | LaReau | Phillips C W | Wende |
| Cheney | Goodman | Lent | Phillips J S | Wheeler |
| Coffey | Goodwin | Levy A J | Saunders | White |
| Collin | Gould | Levy J | Schifferdecker | Wilson |
| Colné | Graubard | MacGregor | Seeley | Yale |
| Constantine | Gray | Manley | Shannon | Yeomans |
| Cosad | Gregg | Martin | Shea | Young |
| Cross | Gurnett | McCue | Sheide | Zorn |
| Cuvillier | Hackett | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1962, Rec. No. 450), entitled "An act to amend section seventy-four of the Laws of nineteen hundred and ten, entitled 'An act in relation to the inferior courts of criminal jurisdiction in the city of New York, defining their powers and jurisdiction and providing for their officers.'"

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Gurnett | McCue | Sheide |
| Ahern | Dawson | Hackett | McDaniels | Shepardson |
| Allen | Day | Haines | McElligott | Shlivek |
| Baumes | Donnelly | Hammond | McGrath | Shortt |
| Beach | Donovan | Hart | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick J J | Merritt | Smith T K |
| Boylan | Ebbetts | Herrick W R | Miller | Stivers |
| Brace | Egan | Heyman | Monczynski | Sweet |
| Brennan | Evans | Higgins | Mork | Talmage |
| Brereton | Farrell | Hoey | Murray | Terry |
| Bridenbecker | Fay | Hoff | Myers | Thorn |
| Brooks | Filley | Hollmann | Neupert | Trombly |
| Brown | Fitzpatrick | Hoyt | Nolan | Turley |
| Bryant | Foley | Huber | O'Connor | Walker |
| Bush | Friedman | Jackson | Oliver | Ward |
| Butler | Gerhardt | Jameson | O'Neill J J | Waring |
| Carew | Gerken | Kennedy | O'Neil M A | Warren |
| Caughlan | Gillen | Keys | Parker A | Waters F A |
| Chandler | Goldberg | Lansing | Patrie | Weil |
| Cheney | Goldstein | LaReau | Phillips C W | Wende |
| Coffey | Goodman | Lent | Phillips J S | Wheeler |
| Collin | Goodwin | Levy A J | Saunders | Wilson |
| Colné | Gould | Levy J | Schifferdecker | Yale |
| Constantine | Graubard | MacGregor | Seeley | Yeomans |
| Cosad | Gray | Manley | Shannon | Young |
| Cross | Gregg | Martin | Shea | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2083, Rec. No. 533), entitled "An act to amend chapter one thousand and six of the Laws of eighteen hundred and ninety-five, entitled 'An act to provide for discontinuing and closing streets, roads, highways, alleys, lanes and thoroughfares in cities of more than one million two hundred and fifty thousand inhabitants,' in relation to extending the provisions of such chapter to certain thoroughfares and the extinguishment of easements therein."

On motion of Mr. Cuvillier, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Gurnett | Martin | Shea |
| Ahern | Dawson | Hackett | McCue | Sheide |
| Allen | Day | Haines | McDaniels | Shepardson |
| Baumes | Donnelly | Hammond | McElligott | Shlivek |
| Beach | Donovan | Hart | McGrath | Smith A E |
| Blauvelt | Drummond | Herrick J J | McKeon | Smith T K |
| Boylan | Ebbetts | Herrick W R | Merritt | Stivers |
| Brace | Egan | Heyman | Miller | Sweet |
| Brennan | Evans | Higgins | Monczynski | Talmage |
| Brereton | Farrell | Hoev | Mork | Terry |
| Bridenbecker | Fay | Hoff | Murray | Thorn |
| Brooks | Filley | Hollmann | Myers | Trombly |
| Brown | Fitzpatrick | Hoyt | Neupert | Turley |
| Bryant | Foley | Huber | No'an | Walker |
| Bush | Friedman | Jackson | O'Connor | Ward |
| Butler | Gerhardt | Jameson | Oliver | Waring |
| Carew | Gerken | Kennedy | O'Neill J J | Warren |
| Caughlan | Gillen | Keys | O'Neil M A | Waters F A |
| Chanler | Goldberg | Kopp | Parker A | Weil |
| Cheney | Goldstein | Lansing | Patrie | Wende |
| Coffey | Goodman | LaReau | Phillips C W | Wheeler |
| Collin | Goodwin | Lent | Phillips J S | Wilson |
| Colné | Gould | Levy A J | Saunders | Yale |
| Constantine | Graubard | Levy J | Schifferdecker | Yeomans |
| Cosad | Gray | MacGregor | Seeley | Young |
| Cross | Gregg | Manley | Shannon | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2127, Rec. No. 512), entitled "An act authorizing the acquisition of another site for the Utica State Hospital and the disposition of the present buildings and grounds of said State hospital."

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Gurnett | Martin | Sheide |
| Ahern | Dawson | Hackett | McCue | Shepardson |
| Allen | Day | Haines | McDaniels | Shlivek |
| Baumes | Donnelly | Hammond | McElligott | Shortt |
| Beach | Donovan | Hart | McGrath | Smith A E |
| Blauvelt | Drummond | Herrick J J | McKeon | Smith T K |
| Boylan | Ebbetts | Herrick W R | Merritt | Stivers |
| Brace | Egan | Heyman | Miller | Sweet |
| Brennan | Evans | Higgins | Monczynski | Talmage |
| Brereton | Farrell | Hoey | Mork | Terry |
| Bridenbecker | Fay | Hoff | Myers | Thorn |
| Brooks | Filley | Hollmann | Neupert | Trombly |
| Brown | Fitzpatrick | Hoyt | Nolan | Turley |
| Bryant | Foley | Huber | O'Connor | Walker |
| Bush | Friedman | Jackson | Oliver | Ward |
| Butler | Gerhardt | Jameson | O'Neill J J | Waring |
| Carew | Gerken | Jones | O'Neil M A | Warren |
| Caughlan | Gillen | Kennedy | Parker A | Waters F A |
| Chanler | Goldberg | Keys | Patrie | Weil |
| Cheney | Goldstein | Lansing | Phillips C W | Wende |
| Coffey | Goodman | LaReau | Phillips J S | Wheeler |
| Collin | Goodwin | Lent | Saunders | Wilson |
| Colné | Gould | Levy A J | Schifferdecker | Yale |
| Constantine | Graubard | Levy J | Seeley | Yeomans |
| Cosad | Gray | MacGregor | Shannon | Young |
| Cross | Gregg | Manley | Shea | Zorn |

In the negative:

Murray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

At 5:50 o'clock P. M., on motion of Mr. A. E. Smith, the House took a recess until 8 o'clock.

EIGHT O'CLOCK P. M.

The House again convened.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McCue | Sheide |
| Baumes | Donnelly | Hammond | McDaniels | Shepardson |
| Beach | Donovan | Hart | McElligott | Shlivek |
| Blauvelt | Drummond | Hearn | McGrath | Shortt |
| Boylan | Ebbetts | Herrick J J | McKeon | Smith A E |
| Brace | Egan | Herrick W R | Merritt | Spielberg |
| Brennan | Evans | Heyman | Miller | Stivers |
| Brereton | Farrell | Higgins | Monczynski | Sweet |
| Bridenbecker | Fay | Hoey | Mork | Terry |
| Brooks | Filley | Hoff | Murray | Thorn |
| Brown | Fitzpatrick | Hollmann | Myers | Trombly |
| Bryant | Foley | Hoyt | Neupert | Turley |
| Bush | Friedman | Huber | Nolan | Walker |
| Butler | Geatons | Jackson | O'Connor | Ward |
| Carew | Gerhardt | Jameson | Oliver | Waring |
| Caughlan | Gerken | Jones | O'Neil M A | Warren |
| Chanler | Gerken | Kennedy | Parker A | Waters F A |
| Cheney | Goldberg | Kopp | Parker J S | Weil |
| Coffey | Goldstein | Lansing | Patrie | Wende |
| Collin | Goodman | LaReau | Phillips C W | Wheeler |
| Colné | Gould | Lent | Phillips J S | Wilson |
| Constantien | Graubard | Levy A J | Saunders | Yale |
| Cosad | Gray | Levy J | Schifferdecker | Yeomans |
| Cross | Gregg | MacGregor | Seeley | Young |
| Cuvillier | Gurnett | Manley | Shannon | Zorn |
| awson | Hackett | Martin | Shea | Speaker |

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence the following entitled bills:

“An act to amend the Military Law, in relation to the Coast Artillery Corps” (No. 1968, Rec. No. 573), which was read the first time and referred to the committee on military affairs.

“An act to amend the Penal Law, in relation to keeping gaming and betting establishments” (No. 2178, Rec. No. 574), which was read the first time and referred to the committee on codes.

“An act to amend the Judiciary Law, in relation to the salaries of the clerk and deputy clerk of the Appellate Division of the Supreme Court in the second department” (No. 2188, Rec. No. 575), which was read the first time and referred to the committee on the judiciary.

“An act to repeal sections eighteen, nineteen and twenty of the Decedent Estate Law, relating to testamentary gifts to certain corporations, and sections eighteen and nineteen of the Membership Corporations Law” (No. 2146, Rec. No. 576), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Legislative Law, constituting chapter thirty-two of the Consolidated Laws, in relation to the compensation of clerks of committees" (No. 2061, Rec. No. 577), which was read the first time and referred to the committee on ways and means.

"An act to amend section ten of the Stock Corporation Law, to enable provision for claims accrued in connection with the operation, maintenance or construction of any or all the property owned by or leased to a corporation prior to its reorganization" (No. 2044, Rec. No. 578), which was read the first time and referred to the committee on the judiciary.

"An act to establish a commission to inquire into the workings of laws relative to certain loans commonly made at extraordinary rate of interest or charges, also to make recommendations for legislation, and making an appropriation for the expense of said commission" (No. 2237, Rec. No. 579), which was read the first time and referred to the committee on ways and means.

"An act to amend the Forest, Fish and Game Law, in relation to hunting hares and rabbits" (No. 2198, Rec. No. 580), which was read the first time and referred to the committee on forestry, fisheries and game.

"An act to legalize a deed from Ella Keith and other grantors to Robert Moody, recorder in the county of Essex, and to legalize such record" (No. 2183, Rec. No. 581), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Highway Law, in relation to adding to the State highway system a new State route, in the counties of Greene and Albany" (No. 2209, Rec. No. 582), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Forest, Fish and Game Law, in relation to the open season for deer" (No. 2223, Rec. No. 583), which was read the first time and referred to the committee on forestry, fisheries and game.

"An act making an appropriation for the necessary furniture for rooms and offices in the State Education building, including the State library and State museum" (No. 1650, Rec. No. 584), which was read the first time and referred to the committee on ways and means.

"An act to provide for a proper representation of the State of New York at the annual convention of the National Guard Association of the United States for the year nineteen hundred and eleven, and reappropriating for such purpose a portion of the unexpended balance of money heretofore appropriated by chapter one hundred and twenty-five of the Laws of nineteen hundred and ten" (No. 2104, Rec. No. 585), which was read the first time and referred to the committee on ways and means.

"An act to amend the Insurance Law, by providing that fire insurance companies may not issue policies of fire insurance under any name other than their corporate titles" (No. 1883, Rec. No. 586), which was read the first time and referred to the committee on insurance.

"An act to amend chapter three hundred of the Laws of nineteen hundred and four, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' relative to the establishment of a board of publicity commissioners and to the powers and duties thereof" (No. 2034, Rec. No. 587), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Code of Civil Procedure, in relation to substituted service of summons" (No. 1655, Rec. No. 588), which was read the first time and referred to the committee on codes.

"An act authorizing the board of assessors of the city of New York to determine and allow damages sustained by owner of real property in the city of New York by reason of the change of grade of Audubon avenue" (No. 2018, Rec. No. 589), which was read the first time and referred to the committee on affairs of cities.

"An act authorizing the preparation of an index of the Session Laws and statutes of the State of New York" (No. 1869, Rec. No. 590), which was read the first time and referred to the committee on ways and means.

"An act to amend the Highway Law, in relation to the course and description of State route number four" (No. 2148, Rec. No. 591), which was read the first time and referred to the committee on internal affairs.

"An act to authorize the city of Binghamton to expend, for

paving, certain moneys to be paid to said city by the Binghamton Railway Company" (No. 1822, Rec. No. 592), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Transportation Corporations Law, in relation to contracts for water supply in the water districts of certain towns" (No. 2196, Rec. No. 593), which was read the first time and referred to the committee on the judiciary.

"An act to authorize the reinstatement of David Heilferty as court attendant of the court of general sessions of the peace in the city and county of New York" (No. 2238, Rec. No. 594), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Highway Law, in relation to the course and description of State route number thirteen" (No. 2215, Rec. No. 595), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Agricultural Law, in relation to fungous growths and infections and contagious diseases affecting trees" (No. 2211, Rec. No. 596), which was read the first time and referred to the committee on agriculture.

"An act to legalize the official acts of certain justices of the peace and authorizing them to execute and file official bonds and official oaths and certificate" (No. 2210, Rec. No. 597), which was read the first time and referred to the committee on the judiciary.

"An act making an appropriation for highway improvement in expediting the construction of portions of State route number nine" (No. 410, Rec. No. 598), which was read the first time and referred to the committee on internal affairs.

"An act in relation to the conveyance of abandoned canal lands, situated in the towns of Rotterdam and Niskayuna, to the city of Schenectady, and the use thereof by said city" (No. 2150, Rec. No. 599), which was read the first time and referred to the committee on ways and means.

"An act in relation to the conveyance of abandoned canal lands to and the use of by the city of Schenectady" (No. 2149, Rec. No. 600), which was read the first time and referred to the committee on affairs of cities.

“An act to amend the Judiciary Law, in relation to exemptions from jury duty in the city of New York” (No. 2224, Rec. No. 601), which was read the first time and referred to the committee on the judiciary.

“An act to amend the State Charities Law, in relation to admissions to the State charitable institutions” (No. 2193, Rec. No. 602), which was read the first time and referred to the committee on charitable and religious societies.

“An act to amend the Code of Civil Procedure, in relation to current docket-books” (No. 2214, Rec. No. 603), which was read the first time and referred to the committee on codes.

“An act making an appropriation for highway improvement in expediting the building of State route number forty-one” (No. 2191, Rec. No. 604), which was read the first time and referred to the committee on ways and means.

“An act to authorize the issuance and sale of bonds of the city of Yonkers, in the principal sum of ninety thousand dollars, to cover the deficiency in the estimated revenues of the city for the years nineteen hundred to nineteen hundred and ten, inclusive” (No. 2197, Rec. No. 605), which was read the first time and referred to the committee on affairs of cities.

“An act making an appropriation for the completion of the construction of the State Education building and for the equipment thereof” (No. 1651, Rec. No. 606), which was read the first time and referred to the committee on ways and means.)

“An act to amend the Judiciary Law, in relation to the chief clerk and assistants for the County Court of Kings county” (No. 2189, Rec. No. 607), which was read the first time and referred to the committee on the judiciary.

“An act to provide for the erection of a new armory building in the city of Newburgh, New York, the acquisition of a site for the same, and making an appropriation therefor; and providing for the sale of the old armory site and building and the application of the proceeds to such new building, and for other purposes relative to the same” (No. 66, Rec. No. 608), which was read the first time and referred to the committee on ways and means.

Mr. Speaker announced the special order, being the Senate bill

(No. 2177, Rec. No. 571), entitled "An act to consolidate and revise the laws relating to the city of Lockport."

Said bill having been announced, Mr. Merritt moved to amend as follows:

Strike out lines 25 and 26 of page 2, all of pages 3, 4, 5, 6, 7 and 8 and lines 1 to 6, inclusive, on page 9 and insert:

"§ 2. City boundaries. The territory in the county of Niagara included in the following boundaries shall constitute the city of Lockport, namely:

"Beginning in the middle of the highway known as the Niagara road, where the same crosses the east line of farm lot number four of section fifteen, in the fourteenth township and sixth range of the Holland Company's lands (so-called); thence westerly along the middle of the said Niagara road, crossing farm lots numbers four, six, eight, ten and twelve of said section fifteen, and sixty-one and sixty-four in township fourteen, in the seventh range, to the intersection of the same with the middle of the Lockport and Warren's Corners plankroad; thence southerly, along the middle of the said plankroad, to the intersection of the same with the middle of the highway known as Hickory Corners road, or West Jackson street; thence westerly, along the middle of the said Hickory Corners road, or West Jackson street, to the west line of the said lot number sixty-four; thence south along the west line of lots numbers sixty-four, sixty, fifty-nine and fifty-eight, to the southwest corner of lot fifty-eight; thence east along the south line of lot number fifty-eight, to the transit line; thence south along the transit line, to the southwest corner of farm lot number eleven, in section fourteen, township fourteen, range six; thence east, along the south line of farm lots numbers eleven, nine, seven, five and three in said section fourteen to the southeast corner of said lot three; thence north along the east line of farm lots numbers three and four, in said section fourteen, and farm lots numbers three and four in section fifteen, to the place of beginning.

"§ 3. [2] Wards and ward boundaries. The said city shall be divided into [six] *eight* wards bounded and described as follows:

"First ward. Beginning at the intersection of the center line of East Main street with the transit line, being the middle of Transit street; thence north on said transit line to the middle of West Jackson street; thence easterly along the middle of West Jackson street to its intersection with the middle line of Gooding street; thence northerly along the middle line of Gooding street to its intersection with the middle line of Jackson street; thence easterly along the middle line of Jackson street to the middle line of William street; thence northerly along the middle line of

William street to the middle line of Mill street; thence southerly along the middle line of Mill street to the center of the Erie canal; thence westerly along the main track of the New York Central and Hudson River railroad; thence easterly along the said railroad track to the middle of Market street; thence southerly along the middle of Market street to the middle of East Main street; thence westerly along the middle of East Main street to the place of beginning.

“Second ward. Beginning at the intersection of the southerly main track of the New York Central and Hudson River railroad with the east boundary line of the city, running thence north on said east line to the north line of the city; thence northwesterly and westerly along the north line of said city to the center of the Lockport and Warrens Corners plankroad; thence southerly along the center of the said road to the center of West Jackson street; thence easterly along the middle line of West Jackson street to its intersection with the middle line of Gooding street; thence northerly along the middle line of Gooding street to its intersection with the middle line of Jackson street; thence easterly along the middle line of Jackson street to the middle line of William street; thence northeasterly along the middle line of William street to the middle line of Mill street; thence southerly along the middle line of Mill street to the center of the Erie canal; thence southwestward along the center of the Erie canal to the middle of the southerly main track of the New York Central and Hudson River railroad; thence easterly along the middle of said track to the place of beginning.

“Third ward. Beginning at the intersection of the middle lines of Main street and Pine street, thence southerly along the middle line of Pine street to the south boundary line of said city; thence easterly along the south boundary line of said city to the southeast corner of said city; thence northerly on the east line of said city to a point where said east line would be intersected by the middle line of Willow street extended; thence westerly along the center line of Willow street extended, and the center line of Willow street, to the middle line of Washburn street; thence northerly along the middle line of Washburn street to the middle line of East avenue; thence westerly along the middle lines of East avenue and Main street, to the place of beginning.

“Fourth ward. Beginning at the intersection of the middle lines of Main street and Pine street, thence southerly along the middle line of Pine street to the middle line of Lincoln avenue, being the south line of said city; thence westerly along the middle line of Lincoln avenue, being the south line of said city, to the middle line of Transit road; thence northerly along the middle

line of the Transit road to the center line of Summit street; thence westerly along the center line of Summit street, being the south line of said city, to the middle of the Erie canal; thence northeasterly along the middle line of the Erie canal to the middle line of Transit street; thence northerly along the middle line of Transit street to the middle line of West avenue; thence easterly along the middle line of West avenue and Main street, to the place of beginning.

"Fifth ward. Beginning at the intersection of the middle lines of East avenue and Washburn street, thence southerly along the middle line of Washburn street to the middle line of Willow street; thence easterly along the middle line of Willow street, and the middle line of Willow street extended, to the east line of said city; thence northerly along the east line of said city to the middle line of East avenue; thence west along the middle line of East avenue, to the place of beginning.

"Sixth ward. Beginning at the intersection of the middle lines of Niagara street and Transit street, running thence west along the middle line of Niagara street to the west line of said city; thence north along the west line of said city to the north line of said city; thence easterly along the north line of said city to the intersection of the middle line of the Lockport and Warren's Corners plankroad with the middle line of West Jackson street; thence easterly along the middle line of West Jackson street to the middle line of Transit street continued northerly; thence southerly along the middle line of Transit street continued, and the middle line of Transit street, to the place of beginning.

"Seventh ward. Beginning at the intersection of the middle lines of Market street and Main street, thence northeasterly along the middle line of Market street to the middle line of the southerly main track of the New York Central and Hudson River railroad; thence northeasterly along the middle line of the southerly main track of the New York Central and Hudson River railroad to the east line of said city; thence south along the east line of said city to the middle line of East avenue; thence westerly along the middle line of East avenue and the middle line of Main street, to the place of beginning.

"Eighth ward. Beginning at the intersection of the middle lines of Niagara street and Transit street, running thence westerly along the middle line of Niagara street to the west line of said city; thence south along the west line of said city to the southwest corner of said city; thence easterly along the south line of said city to the middle of the Erie canal; thence northeasterly along the middle line of the Erie canal to the middle line of South Transit street, thence northerly along the middle line of South

Transit street, and the middle line of Transit street, to the place of beginning.

Debate was had thereon, when Mr. A. E. Smith moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?", and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Merritt, and it was determined in the negative.

AYES 37

NOES 76

Those who voted in the affirmative were:

| | | | | |
|----------|-------------|---------|--------------|------------|
| Adler | Constantine | Hart | MacGregor | Sweet |
| Baumes | Cross | Higgins | Merritt | Thorn |
| Brereton | Ebbetts | Hoff | Murray | Waters F A |
| Brown | Filley | Keys | No'an | Wilson |
| Bryant | Goodman | Kopp | Phillips J S | Yale |
| Butler | Gray | Lansing | Shepardson | Yeomans |
| Cheney | Haines | Lent | Shlivek | Zorn |
| Colné | Hammond | | | |

Those who voted in the negative were:

| | | | | |
|--------------|-------------|-------------|------------|----------------|
| Beach | Donovan | Graubard | LaReau | Parker A |
| Blauvelt | Drummond | Gregg | Levy J | Patrie |
| Boylan | Egan | Gurnett | Manley | Saunders |
| Brace | Evans | Hackett | Martin | Schifferdecker |
| Brennan | Farrell | Hearn | McCue | Seeley |
| Bridenbecker | Fay | Herrick J J | McDaniels | Sheide |
| Bush | Fitzpatrick | Herrick W R | McElligott | Smith A E |
| Carew | Foley | Heyman | McGrath | Stivers |
| Caughlan | Geatons | Hoey | Miller | Terry |
| Chanler | Gerhardt | Hollmann | Monczynski | Trombly |
| Collin | Gerken | Hoyt | Mork | Turley |
| Cosad | Gillen | Huber | Myers | Walker |
| Cuvillier | Goldberg | Jackson | Neupert | Warren |
| Dawson | Goldstein | Jameson | Oliver | Weil |
| Day | Gould | Kennedy | O'Neil M A | Wheeler |
| Donnelly | | | | |

On motion of Mr. Gould, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 83

NOES 42

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|------------|----------------|
| Beach | Drummond | Gurnett | Martin | Saunders |
| Blauvelt | Egan | Hackett | McCue | Schifferdecker |
| Boylan | Evans | Hearn | McDaniels | Seeley |
| Brace | Farrell | Herrick J J | McElligott | Sheide |
| Brennan | Fay | Herrick W R | McGrath | Shortt |
| Bridenbecker | Fitzpatrick | Heyman | McKeon | Smith A E |
| Bush | Foley | Hoe | Miller | Spielberg |
| Carew | Friedman | Hollmann | Monezynski | Terry |
| Caughlan | Geatons | Hoyt | Mork | Trombly |
| Chanler | Gerhardt | Huber | Myers | Turley |
| Collin | Gerken | Jackson | Neupert | Walker |
| Cosad | Gillen | Jameson | O'Connor | Warren |
| Cuvillier | Goldberg | Kennedy | Oliver | Weil |
| Dawson | Goldstein | LaReau | O'Neil M A | Wende |
| Day | Gould | Levy A J | Parker A | Wheeler |
| Donnelly | Graubard | Levy J | Patrie | Zorn |
| Donovan | Gregg | Manley | | |

Those who voted in the negative were:

| | | | | |
|----------|-------------|-----------|--------------|------------|
| Adler | Coffey | Hart | Murray | Stivers |
| Allen | Colné | Higgins | Nolan | Sweet |
| Baumes | Constantine | Keys | Phillips C W | Thorn |
| Brereton | Cross | Kopp | Phillips J S | Waters F A |
| Brooks | Ebbetts | Lansing | Shea | Wilson |
| Brown | Filley | Lent | Shepardson | Yale |
| Bryant | Gray | MacGregor | Shlvek | Yeomans |
| Butler | Haines | Merritt | Smith T K | Young |
| Cheney | Hammond | | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1928, Rec. No. 413), entitled "An act to extinguish the claim of the heirs of Philip Philipse by the acquisition of their mineral and mining rights in certain lands in the counties of Putnam and Dutchess heretofore conveyed by the Commissioners of Forfeiture of the State of New York and to perfect title thereto, and making an appropriation therefor."

On motion of Mr. Yale, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the af-

firmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Hackett | McCue | Sheide |
| Ahern | Day | Haines | McDaniels | Shepardson |
| Allen | Donnelly | Hammond | McElligott | Shlivek |
| Baumes | Donovan | Hart | McGrath | Shortt |
| Beach | Drummond | Herrick J J | McKeon | Smith A E |
| Blauvelt | Ebbetts | Herrick W R | Merritt | Smith T K |
| Boylan | Egan | Heyman | Miller | Stivers |
| Brace | Evans | Higgins | Monczynski | Sweet |
| Brennan | Farrell | Hoey | Mork | Talmage |
| Brereton | Fay | Hoff | Murray | Terry |
| Bridenbecker | Filley | Hollmann | Myers | Thorn |
| Brooks | Fitzpatrick | Hoyt | Neupert | Trombly |
| Brown | Foley | Huber | Nolan | Turley |
| Bryant | Friedman | Jackson | O'Connor | Walker |
| Bush | Gerhardt | Jameson | Oliver | Ward |
| Butler | Gerken | Jones | O'Neill J J | Waring |
| Carew | Gillen | Kennedy | O'Neil M A | Warren |
| Caughlan | Goldberg | Keys | Parker A | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |
| Cheney | Goodman | LaReau | Phillips C W | Wende |
| Coffey | Goodwin | Lent | Phillips J S | Wheeler |
| Collin | Gould | Levy A J | Saunders | Wilson |
| Colné | Graubard | Levy J | Schifferdecker | Yale |
| Constantine | Gray | MacGregor | Seeley | Yeomans |
| Cosad | Gregg | Manley | Shannon | Young |
| Cross | Gurnett | Martin | Shea | Zorn |
| Cuvillier | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 18, Rec. No. 206), entitled "An act to establish a State college of forestry at Syracuse University, and making an appropriation therefor."

On motion of Mr. Hammond, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Gurnett | McCue | Sheide |
| Ahern | Dawson | Hackett | McDaniels | Shepardson |
| Allen | Day | Haines | McElligott | Shlivek |
| Baumes | Donnelly | Hart | McGrath | Shortt |
| Beach | Donovan | Herrick J J | McKeon | Smith A E |
| Blauvelt | Drummond | Herrick W R | Merritt | Smith T K |
| Boylan | Ebbetts | Heyman | Miller | Stivers |
| Brace | Egan | Higgins | Monczynski | Sweet |
| Brennan | Evans | Hoev | Mork | Talmage |
| Brereton | Farrell | Hoff | Murray | Terry |
| Bridenbecker | Fay | Hollmann | Myers | Thorn |
| Brooks | Filley | Hoyt | Neupert | Trombly |
| Brown | Fitzpatrick | Huber | Nolan | Turley |
| Bryant | Foley | Jackson | O'Connor | Walker |
| Bush | Friedman | Jameson | Oliver | Ward |
| Butler | Gerhardt | Jones | O'Neill J J | Waring |
| Carew | Gerken | Kennedy | O'Neil M A | Warren |
| Caughlan | Gillen | Keys | Parker A | Waters F A |
| Chanler | Goldberg | Lansing | Patrie | Weil |
| Cheney | Goldstein | LaReau | Phillips C W | Wende |
| Coffey | Goodman | Lent | Parker J S | Wheeler |
| Collin | Goodwin | Levy A J | Saunders | Wilson |
| Colné | Gould | Levy J | Schifferdecker | Yale |
| Constantine | Graubard | MacGregor | Seeley | Yeomans |
| Cosad | Gray | Manley | Shannon | Young |
| Cross | Gregg | Martin | Shea | Zorn |

In the negative:

Hammond

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 164, Rec. No. 81), entitled "An act to repeal section three hundred and thirty-three of the Real Property Law, and to validate the record of certain instruments."

On motion of Mr. Shortt, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|-------------|----------------|------------|
| Adler | Donnelly | Herrick J J | McGrath | Shepardson |
| Baumes | Donovan | Herrick W R | McKeon | Shlivek |
| Beach | Drummond | Heyman | Merritt | Shortt |
| Blauvelt | Ebbetts | Higgins | Miller | Smith A E |
| Brace | Egan | Hoey | Monczynski | Spielberg |
| Brennan | Evans | Hoff | Mork | Stivers |
| Brereton | Farrell | Hollmann | Murray | Sweet |
| Bridenbecker | Fay | Hoyt | Myers | Talmage |
| Brooks | Foley | Huber | Neupert | Terry |
| Brown | Friedman | Jackson | Nolan | Thorn |
| Bryant | Geatons | Jameson | O'Connor | Walker |
| Bush | Gerhardt | Jones | Oliver | Ward |
| Butler | Gerken | Kennedy | O'Neill J J | Waring |
| Carew | Gillen | Kopp | O'Neil M A | Warren |
| Caughlan | Goldberg | Lansing | Parker A | Washburn |
| Chanler | Goodman | LaReau | Parker J S | Waters F A |
| Cheney | Gould | Lent | Patrie | Waters R B |
| Coffey | Graubard | Levy A J | Phillips C W | Weil |
| Collin | Gregg | Levy J | Phillips J S | Wende |
| Colné | Gurnett | MacGregor | Saunders | Wheeler |
| Constantine | Hackett | Manley | Schifferdecker | Wilson |
| Cosad | Haines | Martin | Seeley | Yale |
| Cross | Hammond | McCue | Shannon | Yeomans |
| Cuvillier | Hart | McDaniels | Shea | Young |
| Dawson | Hearn | McElligott | Sheide | Zorn |
| Day | | | | |

Mr. J. S. Phillips moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|-------------|-------------|------------|
| Adler | Donnelly | Herrick J J | McGrath | Shepardson |
| Baumes | Donovan | Herrick W R | McKeon | Shlivek |
| Beach | Drummond | Heyman | Merritt | Shortt |
| Blauvelt | Ebbetts | Higgins | Miller | Smith A E |
| Brace | Egan | Hoey | Monczynski | Spielberg |
| Brennan | Evans | Hoff | Mork | Stivers |
| Brereton | Farrell | Hollmann | Murray | Sweet |
| Bridenbecker | Fay | Hoyt | Myers | Talmage |
| Brooks | Foley | Huber | Neupert | Terry |
| Brown | Friedman | Jackson | Nolan | Thorn |
| Bryant | Geatons | Jameson | O'Connor | Walker |
| Bush | Gerhardt | Jones | Oliver | Ward |
| Butler | Gerken | Kennedy | O'Neill J J | Waring |

| | | | | |
|-------------|----------|------------|----------------|------------|
| Carew | Gillen | Kopp | O'Neil M A | Warren |
| Caughlan | Goldberg | Lansing | Parker A | Washburn |
| Chanler | Goodman | LaReau | Parker J S | Waters F A |
| Cheney | Gould | Lent | Patrie | Waters R B |
| Coffey | Graubard | Levy A J | Phillips C W | Weil |
| Collin | Gregg | Levy J | Phillips J S | Wende |
| Colné | Gurnett | MacGregor | Saunders | Wheeler |
| Constantine | Hackett | Manley | Schifferdecker | Wilson |
| Cosad | Haines | Martin | Seeley | Yale |
| Cross | Hammond | McCue | Shannon | Yeomans |
| Cuvillier | Hart | McDaniels | Shea | Young |
| Davison | Hearn | McElligott | Sheide | Zorn |
| Day | | | | |

Debate was then had thereon.

On motion of Mr. A. J. Levy, said bill was recommitted to the committee on rules.

Mr. Speaker announced the special order, being the Senate bill (No. 1140, Rec. No. 564), entitled "An act authorizing the Board of Statutory Consolidation to examine and report a plan for the classification, consolidation and simplification of the civil practice in the courts of this State."

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|-------------|-------------|------------|
| Adler | Day | Herrick J J | McGrath | Shepardson |
| Baumes | Donnelly | Herrick W R | McKeon | Shlivek |
| Beach | Donovan | Heyman | Merritt | Shortt |
| Blauvelt | Drummond | Higgins | Miller | Smith A E |
| Brace | Ebbetts | Hoey | Monczynski | Spielberg |
| Brennan | Egan | Hoff | Mork | Stivers |
| Brereton | Evans | Hollmann | Murray | Sweet |
| Bridenbecker | Farrell | Hoyt | Myers | Talmage |
| Brooks | Fay | Huber | Neupert | Terry |
| Brown | Foley | Jackson | Nolan | Thorn |
| Bryant | Friedman | Jameson | O'Connor | Walker |
| Bush | Geatons | Jones | Oliver | Ward |
| Butler | Gerhardt | Kennedy | O'Neill J J | Waring |
| Carew | Gerken | Kopp | O'Neil M A | Warren |

| | | | | |
|-------------|----------|------------|----------------|------------|
| Caughlan | Goldberg | Lausing | Parker A | Washburn |
| Chanler | Goodman | LaReau | Parker J S | Waters F A |
| Cheney | Gould | Lent | Patrie | Waters R B |
| Coffey | Graubard | Levy A J | Phillips C W | Weil |
| Collin | Gregg | Levy J | Phillips J S | Wende |
| Colné | Gurnett | MacGregor | Saunders | Wheeler |
| Constantine | Hackett | Manley | Schifferdecker | Wilson |
| Cosad | Haines | Martin | Seeley | Yale |
| Cross | Hammond | McCue | Shannon | Yeomans |
| Cuvillier | Hart | McDaniels | Shea | Young |
| Dawson | Hearn | McElligott | Sheide | Zorn |
| Gillen | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1539, Rec. No. 435), entitled "An act to amend the Liquor Tax Law, in relation to places in which traffic in liquors shall not be permitted."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 7

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|-------------|--------------|------------|
| Adler | Dawson | Hart | McElligott | Shepardson |
| Baumes | Day | Hearn | McGrath | Shortt |
| Beach | Donnelly | Herrick J J | McKeon | Smith A E |
| Blauvelt | Donovan | Herrick W R | Merritt | Spielberg |
| Brace | Drummond | Heyman | Miller | Stivers |
| Brennan | Ebbetts | Higgins | Monczynski | Sweet |
| Brereton | Egan | Hoey | Mork | Talmage |
| Bridenbecker | Evans | Hoff | Murray | Terry |
| Brooks | Farrell | Hollmann | Myers | Thorn |
| Brown | Fay | Hoyt | Neupert | Walker |
| Bryant | Foley | Huber | Nolan | Ward |
| Bush | Friedman | Jackson | O'Connor | Waring |
| Butler | Geatons | Jameson | Oliver | Warren |
| Carew | Gerhardt | Jones | O'Neill J J | Washburn |
| Caughlan | Gerken | Kennedy | O'Neil M A | Waters F A |
| Chanler | Gillen | Kopp | Parker A | Waters R B |
| Cheney | Goldberg | LaReau | Patrie | Weil |
| Coffey | Goodman | Levy A J | Phillips C W | Wende |

| | | | | |
|-------------|----------|-----------|----------------|---------|
| Collin | Gould | Levy J | Saunders | Wheeler |
| Colné | Graubard | MacGregor | Schifferdecker | Wilson |
| Constantine | Gregg | Manley | Seeley | Yale |
| Cosad | Gurnett | Martin | Shannon | Yeomans |
| Cross | Hackett | McCue | Shea | Young |
| Cuvillier | Haines | McDaniels | Sheide | Zorn |

Those who voted in the negative were:

| | | | | |
|---------|---------|------------|--------------|---------|
| Boylan | Lansing | Parker J S | Phillips J S | Shlivek |
| Hammond | Lent | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1865, Rec. No. 420), entitled "An act to amend the Village Law, in relation to establishment of parkways."

On motion of Mr. Coffey, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Dawson | Hackett | McCue | Sheide |
| Ahern | Day | Haines | McDaniels | Shepardson |
| Allen | Donnelly | Hammond | McElligott | Shlivek |
| Baumes | Donovan | Hart | McGrath | Shortt |
| Beach | Drummond | Herrick J J | McKeon | Smith A E |
| Blauvelt | Ebbetts | Herrick W R | Merritt | Smith T K |
| Boylan | Egan | Heyman | Miller | Stivers |
| Brace | Evans | Higgins | Monezynski | Sweet |
| Brennan | Farrell | Hoey | Mork | Talmage |
| Brereton | Fay | Hoff | Murray | Terry |
| Bridenbecker | Filley | Hollmann | Myers | Thorn |
| Brooks | Fitzpatrick | Hoyt | Neupert | Trombly |
| Brown | Foley | Huber | Nolan | Turley |
| Bryant | Friedman | Jackson | O'Connor | Walker |
| Bush | Gerhardt | Jameson | Oliver | Ward |
| Butler | Gerken | Jones | O'Neill J J | Waring |
| Carew | Gillen | Kennedy | O'Neil M A | Warren |
| Caughlan | Goldberg | Keys | Parker A | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |
| Cheney | Goodman | LaReau | Phillips C W | Wende |

| | | | | |
|-------------|----------|-----------|----------------|---------|
| Coffey | Goodwin | Lent | Phillips J S | Wheeler |
| Collin | Gould | Levy A J | Saunders | Wilson |
| Colné | Graubard | Levy J | Schifferdecker | Yale |
| Constantine | Gray | MacGregor | Seeley | Yeomans |
| Cosad | Gregg | Manley | Shannon | Young |
| Cross | Gurnett | Martin | Shea | Zorn |
| Cuvillier | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2138, Rec. No. 521), entitled "An act to amend chapter three hundred and twenty-seven of the Laws of eighteen hundred and eighty-two, entitled 'An act to incorporate the Actors' Fund of America,' in relation to trustees and officers."

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Dawson | Hackett | McCue | Sheide |
| Ahern | Day | Haines | McDaniels | Shepardson |
| Allen | Donnelly | Hammond | McElligott | Shlivek |
| Baumes | Donovan | Hart | McGrath | Shortt |
| Beach | Drummond | Herrick J J | McKeon | Smith A E |
| Blauvelt | Ebbetts | Herrick W R | Merritt | Smith T K |
| Boylan | Egan | Heyman | Miller | Stivers |
| Brace | Evans | Higgins | Moneczynski | Sweet |
| Brennan | Farrell | Hoey | Mork | Talmage |
| Brereton | Fay | Hoff | Murray | Terry |
| Bridenbecker | Filley | Hollmann | Myers | Thorn |
| Brooks | Fitzpatrick | Hoyt | Neupert | Trombly |
| Brown | Foley | Huber | Nolan | Turley |
| B-yant | Friedman | Jackson | O'Connor | Walker |
| Bush | Gerhardt | Jameson | Oliver | Ward |
| Butler | Gerken | Jones | O'Neill J J | Waring |
| Carew | Gillen | Kennedy | O'Neil M A | Warren |
| Caughlan | Goldberg | Keys | Parker A | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |
| Cheney | Goodman | LaReau | Phillips C W | Wende |

| | | | | |
|-------------|----------|-----------|----------------|---------|
| Coffey | Goodwin | Lent | Phillips J S | Wheeler |
| Collin | Gould | Levy A J | Saunders | Wilson |
| Colné | Graubard | Levy J | Schifferdecker | Yale |
| Constantine | Gray | MacGregor | Seeley | Yeomans |
| Cosad | Gregg | Manley | Shannon | Young |
| Cross | Gurnett | Martin | Shea | Zorn |
| Cuvillier | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1653, Rec. No. 566), entitled "An act to amend the Railroad Law, in relation to judicial proceedings for the acquisition at an appraised valuation by a railroad corporation of the minority stock of another corporation in certain cases where the public interest is involved."

On motion of Mr. Gerhardt, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|------------|------------|
| Adler | Dawson | Hackett | McCue | Sheide |
| Ahern | Day | Haines | McDaniels | Shepardson |
| Allen | Donnelly | Hammond | McElligott | Shlivek |
| Baumes | Donovan | Hart | McGrath | Shortt |
| Beach | Drummond | Herrick J J | McKeon | Smith A E |
| Blauvelt | Ebbetts | Herrick W R | Merritt | Smith T K |
| Boylan | Egan | Heyman | Miller | Stivers |
| Brace | Evans | Higgins | Monczynski | Sweet |
| Brennan | Farrell | Hoey | Mork | Talmage |
| Brereton | Fay | Hoff | Murray | Terry |
| Bridenbecker | Filley | Hollmann | Myers | Thorn |
| Brooks | Fitzpatrick | Hoyt | Neupert | Trombly |
| Brown | Foley | Huber | Nolan | Turley |
| Bryant | Friedman | Jackson | O'Connor | Walker |
| Bush | Gerhardt | Jameson | Oliver | Ward |
| Butler | Gerken | Jones | O'Neil J J | Waring |
| Carew | Gillen | Kennedy | O'Neil M A | Warren |
| Caughlan | Goldberg | Keys | Parker A | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |

| | | | | |
|-------------|----------|-----------|----------------|---------|
| Cheney | Goodman | LaReau | Phillips C W | Wende |
| Coffey | Goodwin | Lent | Phillips J S | Wheeler |
| Collin | Gould | Levy A J | Saunders | Wilson |
| Colné | Graubard | Levy J | Schifferdecker | Yale |
| Constantine | Gray | MacGregor | Seeley | Yeomans |
| Cosad | Gregg | Manley | Shannon | Young |
| Cross | Gurnett | Martin | Shea | Zorn |
| Cuvillier | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1654, Rec. No. 492), entitled "An act to amend chapter three hundred and sixty-one of the Laws of eighteen hundred and sixty-three, entitled 'An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania,' and all acts amendatory thereof, as amended by chapter three hundred and forty of the Laws of eighteen hundred and ninety-two, entitled 'An act to amend chapter three hundred and sixty-one of the Laws of eighteen hundred and sixty-three, entitled "An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania,"' and all acts amendatory thereof."

On motion of Mr. Foley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 1

Those who voted in the affirmative were:

| | | | | |
|----------|-----------|-------------|------------|------------|
| Adler | Cuvillier | Gurnett | Martin | Sheide |
| Ahern | Dawson | Hackett | McCue | Shepardson |
| Allen | Day | Haines | McDaniels | Shlivek |
| Baumes | Donnelly | Hammond | McElligott | Shortt |
| Beach | Donovan | Hart | McGrath | Smith A E |
| Blauvelt | Drummond | Herrick J J | McKeon | Smith T K |
| Boylan | Ebbetts | Herrick W R | Merritt | Stivers |
| Brace | Egan | Heyman | Miller | Sweet |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Brennan | Evans | Higgins | Monczynski | Talmage |
| Brereton | Farrell | Hoey | Mork | Terry |
| Bridenbecker | Fay | Hoff | Myers | Thorn |
| Brooks | Filley | Hollmann | Neupert | Trombly |
| Brown | Fitzpatrick | Hoyt | Nolan | Turley |
| Bryant | Foley | Huber | O'Connor | Walker |
| Bush | Friedman | Jackson | Oliver | Ward |
| Butler | Gerhardt | Jameson | O'Neill J J | Waring |
| Carew | Gerken | Jones | O'Neil M A | Warren |
| Caughlan | Gillen | Kennedy | Parker A | Waters F A |
| Chanler | Goldberg | Keys | Patrie | Weil |
| Cheney | Goldstein | Lansing | Phillips C W | Wende |
| Coffey | Goodman | LaReau | Phillips J S | Wheeler |
| Collin | Goodwin | Lent | Saunders | Wilson |
| Colné | Gould | Levy A J | Schifferdecker | Yale |
| Constantine | Graubard | Levy J | Seeley | Yeomans |
| Cosad | Gray | MacGregor | Shannon | Young |
| Cross | Gregg | Manley | Shea | Zorn |

In the negative:

Murray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1667, Rec. No. 424), entitled "An act to provide for the acquisition and care of lands to commemorate the battle of Saratoga and making an appropriation therefor."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 2

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Adler | Donnelly | Herrick J J | McGrath | Shlivek |
| Baumes | Donovan | Herrick W R | McKeon | Shortt |
| Beach | Drummond | Heyman | Merritt | Smith A E |
| Blauvelt | Ebbetts | Higgins | Miller | Spielberg |
| Brace | Egan | Hoey | Monczynski | Stivers |
| Brennan | Evans | Hoff | Mork | Sweet |
| Brereton | Farrell | Hollmann | Murray | Talmage |

| | | | | |
|--------------|----------|------------|----------------|------------|
| Bridenbecker | Fay | Hoyt | Myers | Terry |
| Brooks | Foley | Huber | Neupert | Thorn |
| Brown | Friedman | Jackson | Nolan | Walker |
| Bryant | Geatons | Jameson | O'Connor | Ward |
| Butler | Gerhardt | Jones | Oliver | Waring |
| Carew | Gerken | Kennedy | O'Neill J J | Warren |
| Caughlan | Gillen | Kopp | O'Neil M A | Washburn |
| Chanler | Goldberg | Lansing | Parker A | Waters F A |
| Cheney | Goodman | LaReau. | Parker J S | Waters R B |
| Coffey | Gould | Lent | Patrie | Weil |
| Collin | Graubard | Levy A J | Phillips C W | Wende |
| Colné | Gregg | Levy J | Saunders | Wheeler |
| Constantine | Gurnett | MacGregor | Schifferdecker | Wilson |
| Cosad | Hackett | Manley | Seeley | Yale |
| Cross | Haines | Martin | Shannon | Yeomans |
| Cuvillier | Hammond | McCue | Shea | Young |
| Dawson | Hart | McDaniels | Sheide | Zorn |
| Day | Hearn | McElligott | Shepardson | |

Those who voted in the negative were:

Bush Phillips J S

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 738, Rec. No. 93), entitled "An act to provide for the acquisition and preservation of the historic house and grounds formerly owned and occupied by General Nicholas Herkimer in the town of Danube, in the county of Herkimer, and making an appropriation therefor."

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123

NOES 3

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Adler | Donnelly | Herrick W R | McKeon | Shlivek |
| Baumes | Donovan | Heyman | Merritt | Shortt |
| Beach | Drummond | Higgins | Miller | Smith A E |
| Blauvelt | Ebbetts | Hoey | Monczynski | Spielberg |

| | | | | |
|--------------|----------|------------|----------------|------------|
| Brace | Egan | Hoff | Mork | Stivers |
| Brennan | Evans | Hollmann | Murray | Sweet |
| Brereton | Farrell | Hoyt | Myers | Talmage |
| Bridenbecker | Fay | Huber | Neupert | Terry |
| Brooks | Foley | Jackson | Nolan | Thorn |
| Brown | Friedman | Jameson | O'Connor | Walker |
| Bryant | Geatons | Jones | Oliver | Ward |
| Butler | Gerhardt | Kennedy | O'Neill J J | Waring |
| Carew | Gerken | Kopp | O'Neil M A | Warren |
| Caughlan | Gillen | Lansing | Parker A | Washburn |
| Chanler | Goldberg | LaReau | Parker J S | Waters F A |
| Cheney | Goodman | Lent | Patrie | Waters R B |
| Coffey | Gould | Levy A J | Phillips C W | Weil |
| Collin | Graubard | Levy J | Saunders | Wende |
| Colné | Gregg | MacGregor | Schifferdecker | Wheeler |
| Constantine | Gurnett | Manley | Seeley | Wilson |
| Cosad | Hackett | Martin | Shannon | Yale |
| Cross | Haines | McCue | Shea | Yeomans |
| Cuvillier | Hammond | McDaniels | Sheide | Young |
| Dawson | Hart | McElligott | Shepardson | Zorn |
| Day | Hearn | McGrath | | |

Those who voted in the negative were:

Bush Herrick J J Phillips J S

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2131, Rec. No. 555), entitled "An act to amend the County Law, in relation to the salary of the county judge of Franklin county."

On motion of Mr. Merritt, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------|----------|---------|------------|------------|
| Adler | Dawson | Hackett | McCue | Sheide |
| Ahern | Day | Haines | McDaniels | Shepardson |
| Allen | Donnelly | Hammond | McElligott | Shlivek |
| Baumes | Donovan | Hart | McGrath | Shortt |

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Beach | Drummond | Herrick J J | McKeon | Smith A E |
| Blauvelt | Ebbetts | Herrick W R | Merritt | Smith T K |
| Boylan | Egan | Heyman | Miller | Stivers |
| Brace | Evans | Higgins | Monczynski | Sweet |
| Brennan | Farrell | Hoey | Mork | Talmage |
| Brereton | Fay | Hoff | Murray | Terry |
| Bridenbecker | Fillely | Hollmann | Myers | Thorn |
| Brooks | Fitzpatrick | Hoyt | Neupert | Trombly |
| Brown | Foley | Huber | Nolan | Turley |
| Bryant | Friedman | Jackson | O'Connor | Walker |
| Bush | Gerhardt | Jameson | Oliver | Ward |
| Butler | Gerken | Jones | O'Neill J J | Waring |
| Carew | Gillen | Kennedy | O'Neil M A | Warren |
| Caughlan | Goldberg | Keys | Parker A | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |
| Cheney | Goodman | LaReau | Phillips C W | Wende |
| Coffey | Goodwin | Lent | Phillips J S | Wheeler |
| Collin | Gould | Levy A J | Saunders | Wilson |
| Colné | Graubard | Levy J | Schifferdecker | Yale |
| Constantine | Gray | MacGregor | Seeley | Yeomans |
| Cosad | Gregg | Manley | Shannon | Young |
| Cross | Gurnett | Martin | Shea | Zora |
| Cuvillier | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2575, Int. No. 1774), entitled "An act to amend the Forest, Fish and Game Law, in relation to the fee for issuing a hunting license."

On motion of Mr. Bridenbecker, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|------------|
| Adler | Dawson | Hackett | McCue | Sheide |
| Ahern | Day | Haines | McDaniels | Shepardson |
| Allen | Donnelly | Hammond | McElligott | Shlivek |
| Baumes | Donovan | Hart | McGrath | Shortt |
| Beach | Drummond | Herrick J J | McKeon | Smith A E |
| Blauvelt | Ebbetts | Herrick W R | Merritt | Smith T K |
| Boylan | Egan | Heyman | Miller | Stivers |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Brace | Evans | Higgins | Moneczynski | Sweet |
| Brennan | Farrell | Hoey | Mork | Talmage |
| Brereton | Fay | Hoff | Murray | Terry |
| Bridenbecker | Filley | Hollmann | Myers | Thorn |
| Brooks | Fitzpatrick | Hoyt | Neupert | Trombly |
| Brown | Foley | Huber | Nolan | Turley |
| Bryant | Friedman | Jackson | O'Connor | Walker |
| Bush | Gerhardt | Jameson | Oliver | Ward |
| Butler | Gerken | Jones | O'Neill J J | Waring |
| Carew | Gillen | Kennedy | O'Neil M A | Warren |
| Caughlan | Goldberg | Keys | Parker A | Waters F A |
| Chanler | Goldstein | Lansing | Patrie | Weil |
| Cheney | Goodman | LaReau | Phillips C W | Wende |
| Coffey | Goodwin | Lent | Phillips J S | Wheeler |
| Collin | Gould | Levy A J | Saunders | Wilson |
| Colné | Graubard | Levy J | Schifferdecker | Yale |
| Constantine | Gray | MacGregor | Seeley | Yeomans |
| Cosad | Gregg | Manley | Shannon | Young |
| Cross | Gurnett | Martin | Shea | Zorn |
| Cuvillier | | | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 933, Int. No. 842), entitled "An act to amend the Education Law, in relation to the establishment of a State school of agriculture and domestic science and kindred subjects at Delhi, Delaware county, providing for its management and control, and making an appropriation therefor."

On motion of Mr. Wheeler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|-----------|-------------|------------|------------|
| Adler | Cavillier | Gurnett | McCue | Sheide |
| Ahern | Dawson | Hackett | McDaniels | Shepardson |
| Allen | Day | Haines | McElligott | Shlivek |
| Baumes | Donnelly | Hammond | McGrath | Shortt |
| Beach | Donovan | Hart | McKeen | Smith A E |
| Blauvelt | Drummond | Herrick J J | Merritt | Smith T K |
| Boylan | Ebbetts | Herrick W R | Miller | Stivers |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Brace | Egan | Heyman | Monczynski | Sweet |
| Brennan | Evans | Higgins | Mork | Talmage |
| Brereton | Farrell | Hoey | Murray | Terry |
| Bridenbecker | Fay | Hoff | Myers | Thorn |
| Brooks | Filley | Hollmann | Neupert | Trombly |
| Brown | Fitzpatrick | Hoyt | Nolan | Turley |
| Bryant | Foley | Huber | O'Connor | Walker |
| Bush | Friedman | Jackson | Oliver | Ward |
| Butler | Gerhardt | Jameson | O'Neill J J | Waring |
| Carew | Gerken | Kennedy | O'Neil M A | Warren |
| Caughlan | Gillen | Keys | Parker A | Waters F A |
| Chanler | Goldberg | Lansing | Patrie | Weil |
| Cheney | Goldstein | LaReau | Phillips C W | Wende |
| Coffey | Goodman | Lent | Phillips J S | Wheeler |
| Collin | Goodwin | Levy A J | Saunders | Wilson |
| Colné | Gould | Levy J | Schifferdecker | Yale |
| Constantine | Graubard | MacGregor | Seeley | Yeomans |
| Cosad | Gray | Manley | Shannon | Young |
| Cross | Gregg | Martin | Shea | Zorn |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 294, Int. No. 293), entitled "An act to amend the Agricultural Law, in relation to the establishment of an agricultural experiment station in Niagara county."

On motion of Mr. Gould, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 2

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|-------------|------------|------------|
| Adler | Cuvillier | Gurnett | Martin | Shepardson |
| Ahern | Dawson | Hackett | McCue | Shlivek |
| Allen | Day | Haines | McDaniels | Shortt |
| Baums | Donnelly | Hammond | McElligott | Smith A E |
| Beach | Donovan | Hart | McGrath | Smith T K |
| Blauvelt | Drummond | Herrick J J | McKeon | Stivers |
| Boylan | Ebbetts | Herrick W R | Merritt | Sweet |
| Brace | Egan | Heyman | Miller | Talmage |
| Brennan | Evans | Higgins | Monczynski | Terry |
| Brereton | Farrell | Hoey | Mork | Thorn |
| Bridenbecker | Fay | Hoff | Myers | Trombly |

| | | | | |
|-------------|-------------|-----------|----------------|------------|
| Brooks | Filley | Hollmann | Neupert | Turley |
| Brown | Fitzpatrick | Hoyt | Nolan | Walker |
| Bryant | Foley | Huber | O'Connor | Ward |
| Bush | Friedman | Jackson | Oliver | Waring |
| Butler | Gerhardt | Jameson | O'Neill J J | Warren |
| Carew | Gerken | Jones | O'Neil M A | Waters F A |
| Caughlan | Gillen | Kennedy | Parker A | Weil |
| Chanler | Goldberg | Keys | Patrie | Wende |
| Cheney | Goldstein | Lansing | Phillips C W | Wheeler |
| Coffey | Goodman | LaReau | Saunders | Wilson |
| Collin | Goodwin | Lent | Schifferdecker | Yale |
| Colné | Gould | Levy A J | Seeley | Yeomans |
| Constantine | Graubard | Levy J | Shannon | Young |
| Cosad | Gray | MacGregor | Shea | Zorn |
| Cross | Gregg | Manley | Sheide | |

Those who voted in the negative were:

Murray Phillips J S

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2097, Int. No. 1437), entitled "An act to amend chapter five hundred and twenty-three of the Laws of eighteen hundred and ninety, entitled 'An act in relation to the office of sheriff of the city and county of New York,' relative to salaries."

On motion of Mr. Ward, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 118

NOES 8

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|-------------|-------------|-----------|
| Adler | Day | Hearn | Merritt | Shortt |
| Baumes | Donnelly | Herrick J J | Miller | Smith A E |
| Beach | Donovan | Herrick W R | Monczynski | Spielberg |
| Blauvelt | Drummond | Heyman | Mork | Stivers |
| Brannan | Ebbetts | Higgins | Myers | Sweet |
| Brereton | Evans | Hoev | Neupert | Talmage |
| Bridenbecker | Farrell | Hoff | Nolan | Terry |
| Brooks | Fay | Hollmann | O'Connor | Thorn |
| Brown | Foley | Hoyt | Oliver | Walker |
| Bryant | Friedman | Huber | O'Neill J J | Ward |

| | | | | |
|-------------|----------|------------|----------------|------------|
| Bush | Geatons | Jackson | O'Neil M A | Waring |
| Butler | Gerhardt | Jameson | Parker A | Warren |
| Carew | Gerken | Jones | Parker J S | Washburn |
| Caughlan | Gillen | Kennedy | Patrie | Waters F A |
| Chanler | Goldberg | Kopp | Phillips C W | Waters R B |
| Cheney | Goodman | Lansing | Phillips J S | Weil |
| Coffey | Gould | Lent | Saunders | Wende |
| Collin | Graubard | MacGregor | Schifferdecker | Wheeler |
| Colné | Gregg | Manley | Seeley | Wilson |
| Constantine | Gurnett | Martin | Shannon | Yale |
| Cosad | Hackett | McCue | Shea | Yeomans |
| Cross | Haines | McDaniels | Sheide | Young |
| Cuvillier | Hart | McElligott | Shepardson | Zorn |
| Dawson | Hammond | McKeon | | |

Those who voted in the negative were:

| | | | | |
|-------|----------|---------|--------|---------|
| Brace | LaReau | Levy J | Murray | Shlivek |
| Egan | Levy A J | McGrath | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 2598, Int. No. 1660) entitled "An act to amend the Election Law, in relation to nominations and primaries," having been announced,

Mr. Blauvelt moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith, amended as follows:

Page 1, line 6, strike out "Primaries;" and insert in place thereof the word "Definitions;" and capitalize the letter "g" in "general" and insert after "provisions" the words "as to primaries".

Page 1, line 7, strike out "24" and insert in italics "23".

Page 2, strike out the italicized matter in lines 1 and 2.

Page 2, line 3, strike out "party position" and insert in italics in place thereof the following: "Party nominations; delegates to national convention; judicial review," and strike out "58" and insert in italics "49".

Page 2, line 5, strike out "94" and insert in italics "93".

Page 3, line 15, strike out the first word "two" and insert "a"; and strike out the "s" at the end of the words "sections" where twice occurring and insert a comma after the last word "two", and strike out the words "and three".

Page 3, line 16, strike out "and".

Page 4, between lines 3 and 4, insert the following:

"§ 3-a. Section two of chapter, as amended by chapter six hundred and forty-nine of the Laws of nineteen hundred and eleven, is hereby renumbered section three, inserted as a part of article one and amended to read as follows:"

Page 4, strike out lines 4, 5 and 6, and insert the following:

“ § [2] 3. Definitions. The terms used in this chapter shall have the signification herein defined unless other meaning is clearly apparent in language or context;”.

Page 4, lines 7 to 12, inclusive, change italics to roman lettering.

Page 4, line 13, before “thirty-five” in italics insert inclosed in brackets the words “ [forty-five] ” and change from italics to roman lettering everything after “thirty-five” in italics.

Page 4, lines 14 and 15, change italics to roman lettering.

Page 4, line 16, change italics to roman lettering except “or independent body”.

Page 4, lines 17 to 26, inclusive, change italics to roman lettering.

Page 5, lines 1 to 6, inclusive, change italics to roman lettering.

Page 5, line 7, change italics to roman lettering but strike out “one” in italics and insert in place thereof “ten thousand votes for its candidate for such office.”

Page 5, line 8, strike out everything before “No”.

Page 5, lines 16 to 19, inclusive, change italics to roman lettering.

Page 6, line 3, insert the numeral “10” inclosed in brackets before “12” and change italics in the balance of the line to roman lettering.

Page 6, lines 4 and 5, change italics to roman lettering.

Page 6, line 6, insert the numeral “11” inclosed with brackets before “13” and change the balance of the line from italics to roman lettering.

Page 6, line 7, change italics to roman lettering.

Page 6, line 8, change the italics to roman lettering except the words “or independent body”.

Page 6, line 9, change from italics to roman lettering.

Page 6, line 10, change from italics to roman lettering down to and including the word “party”.

Page 6, line 11, change from italics to roman lettering after and including the word “organizations”.

Page 6, line 12, change everything from italics to roman lettering except “or independent body”.

Page 6, line 13, insert the numeral “12” inclosed with brackets before “14” and change the balance of the line from italics to roman lettering.

Page 6, lines 14 and 15, change from italics to roman lettering.

Page 6, line 16, insert the numeral “13” inclosed with brackets before “15” and change the balance of the line from italics to roman lettering.

Page 6, lines 17 to 21, inclusive, change from italics to roman lettering.

Page 6, line 22, insert the numeral "14" inclosed with brackets before "16" and change the balance of the line from italics to roman lettering.

Page 6, lines 23, 24 and 25, change from italics to roman lettering.

Page 7, line 1, insert the numeral "15" inclosed with brackets before "17" and change the balance of the line from italics to roman lettering.

Page 7, lines 2, 3 and 4, change the italics to roman lettering.

Page 7, line 5, insert the numeral "16" inclosed with brackets before "18" and change the balance of the line from italics to roman lettering.

Page 7, lines 6 to 9, inclusive, change from italics to roman lettering.

Page 7, line 10, insert the numeral "17" inclosed with brackets before "19" and change the balance of the line from italics to roman lettering.

Page 7, lines 1 to 14, inclusive, change from italics to roman lettering.

Page 7, line 18, strike out "Primaries" and insert in place thereof the word "Definitions" and insert after "provisions" and before the ensuing period the words "as to primaries".

Page 7, line 19, strike out "of primary and convention".

Page 8, strike out lines 17 and 18.

Page 8, line 19, change the numeral "18" to "17" in italics.

Page 8, line 21, change the numeral "19" to "18" in italics.

Page 8, line 22, change the numeral "20" to "19" in italics.

Page 8, line 23, change the numeral "21" to "20" in italics.

Page 8, line 25, change the numeral "22" to "21" in italics.

Page 8, line 26, change the numeral "23" to "22" in italics.

Page 9, line 1, change the numeral "24" to "23" in italics.

Page 12, line 14, strike out everything after "or", and insert in italics the following: "if the voter was duly registered otherwise than personally."

Page 12, line 15, strike out everything before "that" and insert quotation marks before "I".

Page 12, line 16, insert quotation marks after "district" within the parentheses.

Page 12, line 19, strike out everything after "or," and insert in italics "if the registration was not personal".

Page 12, line 20, strike out "quired".

Page 15, line 22, after "therein" insert "as a part of article two thereof,".

Page 18, line 8, after the syllables "tered" insert a bracket "] ".

Page 19, line 17, strike out "such envelope".

Page 19, line 18, after the word "required" insert in italics the words "such envelope".

Page 20, line 17, after the word "registration" insert a comma.

Page 20, line 15, after the word "persons" insert a comma.

Page 22, line 20, strike out "twenty-second" and insert "third" in italics and strike out "July" and insert in italics "August".

Page 22, line 21, strike out "twenty-fifth" and insert "seventh" in italics and strike out "July" and insert "August" in italics.

Page 23, line 9, strike out "twenty-fifth" and insert "seventh" in italics and strike out "July" and insert "August" in italics.

Page 23, line 13, strike out "twenty-ninth" and insert "eleventh" in italics and strike out "July" and insert "August" in italics.

Page 23, line 21, strike out "twenty-ninth" and insert "eleventh" in italics and strike out "July" and insert "August" in italics.

Page 23, line 26, strike out "tenth" and insert in place thereof in italics "twelfth".

Page 24, line 7, strike out "nineteenth" and insert "first" in italics and strike out "July" and insert "August" in italics.

Page 39, line 7, after "nominated" insert in italics the words "and the members shall be elected".

Page 39, line 20, after "president" insert in italics "of the United States" and strike out "nominated" and insert in italics "elected".

Page 39, line 21, after "convention" insert in italics " , if any".

Page 39, line 22, strike out "fifty-three" and insert in italics "forty-six" and strike out "act" and insert in italics "chapter".

Page 39, line 26, insert a comma after "member".

Page 42, line 24, strike out "seventy" and insert in italics "forty-nine".

Page 43, line 13, strike out everything after the bracket and insert in italics the following: "Party nominations; delegates to national conventions; judicial review."

Page 43, strike out lines 14 and 15.

Page 44, line 25, strike out "article" and insert in italics "chapter".

Page 45, line 14, strike out "article" and insert in italics "chapter".

Page 48, line 1, before "shall" insert in italics the following: "or by any provision of this chapter which relates to primary elections or the nomination of party candidates for public offices or election to party positions,".

Page 49, line 11, strike out "article" and insert "chapter" in italics.

Page 49, line 13, strike out "article" and insert in italics "section".

Page 83, line 8, strike out "one hundred and twenty-three".

Page 83, line 11, strike out "one hundred and thirty-four,".

Page 85, line 25, strike out the whole line.

Pages 86 and 87, strike out all of both pages.

Page 88, strike out lines 1 to 18, inclusive.

Page 89, line 10, inclose with brackets the word "clerk" and insert in italics after the last bracket thus inserted the words "board of elections".

Page 89, line 12, insert a bracket "[" before "except".

Page 89, line 13, insert a bracket "[" after the comma.

Page 89, line 14, inclose with brackets the word "clerk" and insert in italics after the bracket thus inserted the words "board of elections".

Page 89, line 24, inclose with brackets the word "clerk" and insert in italics after the bracket thus inserted the words "board of elections".

Page 89, line 25, strike out the brackets and the italicized matter and insert a bracket "[" before the comma after the word "located".

Page 90, line 1, strike out the italicized matter.

Page 90, line 4, insert a bracket "]" after the word "for" and before the ensuing period and strike out the bracket before "All" and insert a bracket "[" before the comma after "nominations".

Page 90, line 5, insert a bracket "]" after the comma.

Page 90, line 6, insert a bracket "[" before the comma.

Page 90, line 9, strike out the bracket and insert a bracket "]" before the period and after "elections".

Page 91, line 15, inclose with brackets the words "other than in the county of Erie,".

Page 93, line 8, inclose with brackets the word "officer" and insert in italics before "by" the word "board" and insert a bracket "[" before "in".

Page 93, line 9, insert a bracket "]" after "officer" first occurring and strike out the comma and insert in italics before "or"

the words "with such board" and strike out the second word "officer" and insert in italics in place thereof the word "board".

Page 94, line 1, inclose with brackets the words "and Buffalo".

Page 94, line 2, insert a bracket "[" before "and".

Page 94, line 3, strike out the first bracket and the italicised matter.

Page 94, line 4, strike out the italicised matter.

Page 95, line 16, after "with" insert inclosed with brackets the word "[him]" and strike out the word "him" where it occurs before "or" and insert in italics in place thereof the word "it" and inclose with brackets the word "him" where it occurs the second time and insert in italics before the comma and after the last bracket thus inserted the word "it".

Page 95, line 26, before "officer" insert in italics the words "board or".

Page 27, line 3, before "officer" insert in italics the words "board or".

Page 97, strike out lines 15 to 25, inclusive.

Page 98, strike out lines 1 to 16, inclusive.

Page 105, line 12, strike out "two" and strike out "twenty".

Page 105, line 13, strike out "one".

Page 44, line 10, after the numeral "46" strike out all and insert in italics "Designation by party committees".

Page 44, line 11, after the numeral "47" strike out all and insert in italics "Meetings of committees for purposes of designation".

Page 44, line 12, after the numeral "48" strike out all and all of line 13 and insert in italics "Designation by petition".

Page 44, line 14, after the numeral "49" strike out all and insert in italics "Filing of designation".

Page 44, after line 14, insert in italics,

"50. Declination by person designated.

51. Certification by Secretary of State.

52. Vacancies, how filled.

53. Delegates to national convention.

54. Presidential electors.

55. Special provision for year nineteen hundred eleven.

56. Contests; judicial review.

57. Emblems.

58. Official primary ballot."

Page 45, after line 22, insert in italics the following:

"6. Candidates for party nominations to be made at the primaries and for election to party positions shall be designated either:

“a. By party committees, organized and acting as by this chapter provided; or

“b. By petition, as in this chapter provided.

“A person shall not be a candidate for delegate to the State convention of a party or eligible for the position of delegate unless he is an enrolled voter of the party within the county containing the unit of representation for which such position is to be filled.

“§ 46. Designations by party committees. 1. The respective committees of each party, constituted as herein provided, may designate candidates for party nominations for public office to be placed upon the official primary ballot in accordance with the provisions of this chapter, as follows:

“Each congressional district committee, for representative in congress;

“Each Senatorial district committee, for State Senator;

“Each judicial district committee, for justice of the Supreme Court;

“Each Assembly district committee, for member of Assembly;

“Each county committee, for county officers, and in the county of New York also for judges of the court of general sessions, and for justices of the city court of the city of New York;

“Each city committee, for city offices to be filled by the voters of the entire city;

“Each borough district committee, in a city containing more than one million inhabitants, for borough offices;

“Each municipal court district committee, in a city containing more than one million inhabitants, for justice of the municipal court in said city;

“Each aldermanic district committee, in a city containing more than one million inhabitants, for aldermen.

“A candidate for party nomination to public office required to be made by direct vote of the enrolled party voters, whose designation by a party committee is not hereinbefore provided for, may be designated by any other committee created and organized and upon which such power is conferred by the rules and regulations of the party.

“2. Candidates for election as delegates to the State convention of a party may be designated by the committee of the political subdivision constituting the unit of representation of delegates thereto.

“3. A candidate for election as member of any other committee may be designated either by the member or members thereof from the same unit of representation or by such other committee, chosen by the enrolled party voters within such unit, as the rules

and regulations of the party may prescribe, but any such rule or regulation, properly authenticated, shall be filed with the custodian of primary records at least twenty days before any such designation is made.

"4. Designation by party committees of candidates for party nominations or for party positions shall be made in the manner provided in this article and not otherwise.

"§ 47. Meetings of committees for purpose of designation. 1. Time of meetings. For the purposes of designating candidates such committees shall meet not earlier than the fourth Tuesday nor later than the third Tuesday preceding the primary.

"2. Notice of meetings. Except as hereinafter provided, notice of the time, place and purpose of every meeting to be held to designate candidates shall be duly mailed to each member of the committee at his post-office address not less than fifteen days before the day fixed for such meeting. Each such notice shall be filed not less than ten days before the day fixed for such meeting in the office in which designations by the committee of candidates are required to be filed.

"3. Conduct of meetings. Each meeting of a committee for the purpose of making such designations shall be open to the public. A committee in making designations of candidates for different offices shall make them in the order in which said offices will appear on the ballot at the general election. Each designation by a committee of a candidate or candidates shall be made in the manner provided in the rules and regulations of the party. But no designation shall be made for the nomination to any county office except by a committee composed of at least three members of the county committee for each Assembly district within the county.

"§ 48. Designation by petition. Every petition for the designation of a candidate for party nomination or for election to a party position shall be in substantially the following form:

"I, the undersigned, do hereby certify that I am a duly enrolled voter of the party, as herein below specified, and entitled to vote at the next primary election of said party, and I do hereby designate the following named person, or persons, as a candidate, or candidates, for nomination by the party for public office, or offices or as a candidate or candidates for election to the position, or positions of the said party to be voted for at the official primary election to be held on the day of A. D.,, as hereinafter specified, and it is my intention to support at the ensuing primary the candidacy of the person or persons and each of them herein designated by me.

| " Name of candidate. | Public office or party position. | Place of residence. |
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"I do hereby appoint (here insert the names of at least three persons) as a committee to fill vacancies in accordance with the provisions of the Election Law.

"In witness whereof, I have hereunto set my hand the day and year placed opposite my signature.

| " Date. | Name of signer. | Residence. | Election district, town or ward. |
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" State of New York, }
County of }ss.:

" On this day of, in the year, before me personally came (here shall be inserted the names of each and every voter appearing and making oath before the said officer) each of whom was to me personally known and known by me to be the voter whose name and place of residence is subscribed by him to the foregoing certificate and each of the foregoing voters being by me duly and severally sworn did make oath that he is a voter and has truly stated his residence, and that it is his intention to support at the polls the candidacy of the person or persons nominated for public office in the foregoing certificate of designation.

“(Signature and official title.)

"A petition for the designation of candidates for party nomination or for election to party position may designate candidates for nomination for one or more public offices, or for election to one or more party positions, or both.

"Petitions for designation of candidates for party nominations or for the election of candidates to party positions shall be signed by at least *five per centum* of the total enrolled voters of such party within the district, within which such office, or within the

unit of representation for which such party position, is to be filled and by not less than *four per centum* of the total vote cast in that political subdivision for the candidate of such party for Governor at the last preceding gubernatorial election.

"All papers signed and verified in the manner and form above prescribed for the purpose of designating the same candidate for nomination for the same public office or the same party position shall, when bound together and offered for filing as provided in this chapter, be deemed to constitute one petition with respect to said candidate.

"No enrolled voter shall join in designating a greater number of candidates for party nomination for a public office or for election to a party position than the number of persons to be elected thereto. Where an enrolled voter shall sign any petition or petitions designating a greater number of candidates than he is permitted to designate as aforesaid his signatures, if they bear the same date, shall not be counted, and if they bear different dates they shall be counted in the order of their priority of date and only so far as he was entitled to make designations.

"§ 49. Filing of designations. 1. Where to be filed. All designations of candidates for offices and for election to party positions to be filled by the voters of any subdivision of the State shall be filed with the officer with whom certificates of nomination for such office or offices are required by this act to be filed. All designations filed in accordance with the provisions of this section shall forthwith be filed by the custodian of primary records in his office and shall be open to inspection as public records at all reasonable hours, and each custodian of primary records shall provide ample and sufficient facilities for keeping said records and making copies of the same.

"2. When to be filed. Designations by party committees shall be filed not earlier than nine o'clock in the morning of the *fourth Tuesday* and not later than five o'clock in the afternoon of the *third Tuesday preceding the primary* at which the candidates therein designated are to be voted for; each designation shall be so filed by filing a certificate thereof made by the chairman and secretary of the meeting of the committee at which the designations are made and said certificate shall be accompanied by a complete and accurate record of the proceedings of the meeting of the committee. All designations by petition shall be filed not earlier than nine o'clock in the morning of the *fourth Tuesday* and not later than five o'clock in the afternoon of the *second Tuesday preceding the primary* at which the candidates therein designated are to be voted for. All designations shall at the time of the filing thereof be stamped or indorsed by the Secretary of State,

or the custodian of primary records, as the case may be, with the day, hour and minute of such filing.

“§ 50. Declination by person designated. The name of a person designated as a candidate for nomination for party position shall not be printed on the official ballot if he notifies the officer with whom the original certificate of his designation is filed in a writing signed and duly acknowledged by him that he declines the designation, or if designated by the party committee or one or more independent bodies the name of the person so designated shall not be printed on the ticket of the committee or independent body whose designation he shall in like manner decline. Such declination shall be filed within four days after the second Tuesday preceding the ensuing primary. The officer with whom such declination is filed shall forthwith inform by mail or otherwise the committee authorized to fill vacancies in designations, and if such declination be filed with the Secretary of State, such officer shall also give immediate notice by mail or otherwise of such designation to the several custodians of primary records for the election districts affected by such declination.

“§ 51. Certification by Secretary of State. The Secretary of State shall, at least seven days before an official primary election, except a primary election held to nominate candidates to be voted for at a special election, prepare and transmit to the several custodians of primary records within the political subdivisions where the candidates, designations of whom have been duly filed with him, are to be voted for, a certificate setting forth the names and residences of such candidates and the titles of the offices for which they are named, and the name of the party upon whose primary ballot their names are to be placed, and in case of a special election he shall prepare and transmit such certificate at least three days before the official primary election.

“§ 52. Vacancies, how filled. If a candidate regularly designated for election to a party position, or for a party nomination for public office, declines a nomination or dies before the primary day, or is found to be disqualified to hold the office or position for which he has been designated, a committee to fill vacancies, which may be appointed by the party committee making such designation and the appointment of which must be duly certified with the designation, or which may be appointed by the signers and shown upon the face of the petition of designation, may make a new designation, to fill the vacancy so created, by making and filing with the officer with whom the original designation was filed a certificate setting forth the cause of the vacancy, the name of the persons designated by them, the name of the original candidate, and the name of the party on whose behalf

the original certificate of designation was made. Such certificate shall be subscribed and acknowledged by a majority of the members of the committee to fill vacancies, who shall severally make oath that the matters therein stated are true, to the best of their knowledge and belief, and when so filed such certificate shall have the same force and effect as the original certificate of designation, or the original petition, as the case may be. In case such certificate shall be filed with the Secretary of State, he shall forthwith certify to the proper custodian, or custodians, of primary records the name of the person designated by such certificate and such other facts as are required to be stated therein. In case the certificate from the Secretary of State shall be received by a custodian of primary records, or an original certificate of designation as in this section provided for shall be filed with him, after the official ballots have been printed and before primary day, it shall be his duty to prepare and furnish to the inspectors of election in each election district affected adhesive pasters containing the name of the candidate designated to fill the vacancy with directions for the proper use thereof. The pasters shall be of plain white paper, printed in plain black ink and in the same kind of type used in printing the names of the candidates upon the official ballots, and shall be of a size as large as and no longer than the space occupied upon the official ballot by the name of the candidate in whose place the candidate named upon the paster has been designated. Whenever such pasters are provided, the officer or board furnishing them shall certify to the inspectors of election in the election districts affected by the vacancy, the name of the person originally designated, the name of the person designated in the new certificate, the title of the office or party position for which the designation is made, the name of the political party to which the committee making the designation belongs, and shall state the number of pasters furnished, which number shall be equal to the number of official ballots furnished for each such district. Upon the delivery of said pasters the inspectors of election shall sign and receipt for the same, which receipt shall be retained by the officer or board furnishing the pasters, and shall be part of the record of his or their office. The inspectors shall affix one of such pasters in the proper place and in a proper manner upon each official ballot before such ballot shall be delivered to a voter. When so affixed to an official ballot the paster shall be a part of the official ballot. The inspectors shall include in their statement of ballots a statement showing the number of pasters received by them, the number of pasters affixed to official ballots and the number of unused pasters returned by them, the unused pasters to be inclosed in the package of ballots not delivered to

voters. The use of any paster upon the official ballot otherwise than as herein provided is hereby prohibited."

Page 45, line 23, change numeral "46" to "53".

Page 46, line 25, change numeral "47" to "54".

Page 47, line 8, charge numeral "48" to "55".

Page 47, line 18, after the word "divisions" insert in italics "in relation to the designation of candidates for party nominations for offices to be filled at the general election in the year nineteen hundred eleven and to the designation of candidates for party positions. Such powers hereby granted shall not extend beyond said fall primary, and no member of such committee shall be entitled to cast more than one vote."

Page 47, line 19, change numeral "49" to "56".

Page 50, after line 12 insert in italics "§ 57. Emblems. *Any committee authorized by this chapter to make a designation for party nomination or party position, may select an emblem to distinguish the candidate or candidates designated by it and a petition for the designation of a candidate or candidates for nomination to public office or election to a party position may select an emblem to distinguish the candidate, or candidates, designated by such petition, and such emblem shall be shown by the representation thereof upon such petition.* An emblem chosen aforesaid may be any appropriate symbol, other than the coat of arms or seal of the State or of the United States, or the State or national flag, or any religious emblem or symbol, or the portrait of any person, or the representation of a coin or of the currency of the United States, or the party emblem of any party. Conflicts in emblems shall be determined, and omitted emblems supplied, in the manner, so far as practicable, provided for by sections one hundred and twenty-five and one hundred and twenty-six of this chapter, in respect to emblems to be placed upon the official ballot.

"§ 58. Official primary ballot. There shall be prepared, printed and supplied in the manner hereinafter provided, for use at official primary elections, official primary ballots, and except as otherwise expressly provided in this chapter, no other ballot shall be used at an official primary election.

"No names of candidates for any nomination to public office or election to a party position shall be printed upon the official primary ballot, except upon designation duly made as prescribed in this chapter; nor shall any name, words, or signs, or writing whatever be printed, written, stamped or in any manner placed upon an official primary ballot except as herein provided.

"The official primary ballots shall conform in quantity, weight, color and style of printing, to the ballots described in this chapter for use at the general election. The ballot shall be printed

upon the same leaf of the stub and separated therefrom by a perforated line. The part above the perforated line, designated as the stub, shall extend the entire width of the ballot, and shall be of sufficient depth to allow the following instructions to voters to be printed thereon in type known as brevier, with the word 'Instructions' in larger type above:

"This ballot shall be marked in one of two ways with a pencil having black lead. To vote a straight ticket make a cross X mark within the circle above such ticket. To vote a split ticket, that is, for candidates under different circles, the voter shall make a cross X mark before the name of each candidate for whom he votes. If the ticket marked in the circle for the straight ticket does not contain the names of all candidates for whom the voter may vote, he may vote for candidates so omitted by making a cross X mark before the names of candidates for the same offices or positions on another ticket, or by writing the names if they are not printed upon the ballot, in the blank column, under the title of the office or party position. To vote for a person not on the ballot, write the name of such person under the title of the office or party position in the blank column. Any other mark than the X mark used for the purpose of voting, or any erasure made on this ballot, makes it void, and no vote can be counted hereon. If you tear or deface or wrongfully mark this ballot, return it and obtain another, but only one additional ballot may be thus obtained.

"Upon the face of the ballot and directly below the perforated line shall be printed the following: 'Official ballot for the primary election of the (name or party) party,' the name of the county and town or city; the date on which such primary is held; the Assembly district number, number of the ward, and the election district number, directly below which shall be printed a heavy black line.

"The portion of such ballot above such horizontal black line shall be divided into columns by lighter black lines. The titles of the different offices for which candidates are to be nominated, or party positions to be filled, shall be arranged in such columns in the following order, from top to bottom: Justice of Supreme Court, Representative in Congress, State Senator, Member of Assembly, county and city officers in the order in which they respectively will appear upon the official ballot at the general election, delegates to State convention, member of county committee, and other committees in such order as the custodian of primary records shall determine. The titles of the public offices or party positions shall be printed in a space one inch in depth and at least two inches in width, divided by horizontal light ruled lines.

Below the space containing the title of a public office or party position shall be printed the name of the candidate or candidates for such office or position, separated by light horizontal lines with a blank space on the left thereof one-quarter of an inch square, inclosed by heavy dark lines which space is called the voting space. Below the names of the several candidates or group of candidates designated for the same public office or party position shall be printed a heavy line across the entire width of the ballot. Above the titles of the different offices for which candidates are to be nominated or party positions to be filled, in the center of a sufficient space separated therefrom by a heavy black line, shall be printed the emblem selected by the party committee which designates a candidate for the office of which the title is required to be printed at the head of the column, or by the petitioners by whom candidates were designated, as the case may be, and immediately below the emblem and in the same space, shall be printed in the center of such space a blank circle one-half inch in diameter, defined by heavier lines than the lines dividing the blank space before the names of candidates, as herein provided. The candidates designated by party committee shall be so arranged in the column to the extreme left. Candidates designated by petition shall be arranged in the other columns of the ballot from left to right in the chronological order in which the designations were filed, but with the titles of the public officers and party positions and the candidates designated therefor directly opposite the same titles and the names of candidates designated for the same offices or party positions in the committee column. *The name of a candidate shall not appear more than once on the ballot as a candidate for the same public office or party position.* To the right of the ballot shall be a column in which shall be printed only the titles of the public offices and party positions opposite the corresponding titles, respectively, under which the names of the candidate or candidates have been printed. Beneath each such title the spaces shall be the same size and arranged in the same manner as where the names of candidates are printed beneath the corresponding title, except that the voting space shall be omitted.

“On the back of the ballot below the stub and immediately at the left of the center of the ballot shall be printed the name and emblem of the party, and in great primer roman, condensed capitals ‘Official primary ballot for,’ and after the word ‘for’ shall follow the designation of the polling place for which the ballot is prepared, the date of the primary election, and a facsimile of the signature of the officer who has caused the ballot to

be printed. Immediately above the center of such indorsement and upon the back of the stub, shall be printed the consecutive number of the ballot beginning with 'No. 1,' and increasing in regular numerical order, and in the back of the stub below the number, the name of the party. All ballots shall be substantially in the following form:—

Page 51, line 3, insert in italics "81. Unofficial ballots."

Page 51, line 4, change numerals "81" to "82".

Page 51, line 5, change numerals "82" to "83".

Page 51, line 6, change numerals "83" to "84".

Page 51, line 7, change numerals "84" to "85".

Page 51, after line 7, insert in italics "86. Intent of voters."

Page 51, line 8, change numerals "85" to "87".

Page 51, line 9, change numerals "86" to "88".

Page 51, line 10, change numerals "87" to "89".

Page 51, after line 11, insert in italics "90. Filing vacancies and determination of tie vote after primaries."

Page 51, line 12, change numerals "88" to "91".

Page 51, line 14, change numerals "89" to "92".

Page 51, line 15, change numerals "90" to "93".

Page 51, line 17, change numerals "91" to "94".

Page 51, line 18, change numerals "92" to "95".

Page 51, line 19, change numerals "93" to "96".

Page 57, after line 10, insert in italics "Number on ballots delivered to enrolled voter," "Number on ballot voted."

Page 57, strike out lines 12 to 18, inclusive, and insert in place thereof in italics "Upon each delivery of an official primary ballot by the primary ballot clerk to an enrolled voter, the primary poll-clerk shall enter upon the poll-book of the election district in which the enrolled voter resides, in the appropriate column, the number of the enrolled voter, in the successive order of the delivery of the ballots thereto, the name of the enrolled voter in the alphabetical order of the first letter of his surname, his residence by street and number, or if he have no street number, a brief description of the locality thereof, the printed number upon the stub of the ballots delivered to such enrolled voter, and the number of the ballot voted by him. If the ballot delivered to any enrolled voter shall be returned by him to the primary ballot clerk, and he shall obtain a new ballot, the primary poll-clerk shall write opposite his name on the poll-book in the proper column, the printed number of the stub of such ballot. Each primary poll-clerk shall make a memorandum upon his poll-book opposite the name of each person who shall have been challenged and taken either of the oaths prescribed upon such challenge, or who shall have received assistance in preparing his ballot and shall also

enter upon the poll-book opposite the name of such person the names of the primary officers or persons who render such assistance, and the cause or reason assigned for such assistance by the elector assisted.

"As each enrolled voter offers the ballot which he intends to vote to the primary inspector, each primary poll-clerk shall report to the primary officers whether the number entered on the poll-book kept by him as the number on the ballot last delivered to such enrolled voter is the same as the number on the stub of the ballot so offered. As each enrolled voter votes, each primary poll-clerk shall enter in the proper column on his poll-book the number on the stub of the ballot voted. Upon the close of the polls of the primary election, the primary poll-clerks and all primary officers shall compare the poll-books with the enrollment books or registers and correct any mistakes found therein."

Page 57, strike out lines 19 to 26, inclusive.

Page 58, strike out all.

Page 59, strike out lines 1 to 22, inclusive, and insert in place thereof the following:

"§ 39. Such chapter is hereby amended by inserting therein as a part of article four-a a new section, to be known as section seventy-nine, and to read as follows:

"§ 79. Ballots, booths and supplies. The custodian of primary records shall have for each party printed ballots for each election district equal in number, as near as may be, to one and one-third times the total number of enrolled voters of the party in the election district, prepared as herein described, which shall be delivered by the custodian of primary records to the proper primary officers at the various polling places at least one-half hour before the time fixed for the opening of the polls. The polling places, voting booths, guard-rails, distance markers, ballot boxes, sample ballots, poll-books and other supplies required for official primary elections shall be provided and paid for by the same officers, and in the same manner, as in the case of general elections. At all official primary elections a separate box with the name and emblem of the party and with the number of the election district clearly and conspicuously written or printed thereon, shall be provided at each polling place for each party participating in a primary election at such polling place and for each election district the voters of which vote at such polling place; and there shall also be a large box for the reception of unvoted ballots and an additional box for detached ballot stubs and there shall be affixed to the outside of the polling place and in at least two places on the inside thereof, and in a conspicuous manner, placards printed with large-sized bold-faced type, which shall

specify the name of the parties whose primary election is being held in such polling place. Sample ballots shall be provided by the custodian of primary records for each party for each election district, equal in number, as near as may be, to twenty-five per centum of the number of official ballots required to be furnished for such party for such election district. Such sample ballots shall be printed on paper different in color from the paper used for the official ballot, and there shall be no numbers upon the stubs thereof, but in all other respects such sample ballots shall be precisely like the official ballots. One of such sample ballots shall be furnished upon application at any time on primary day to any voter entitled to vote the ballot of which he requests a sample."

Page 62, line 5, after the word "to" insert "mark or".

Page 62, line 10, after the word "applicable" insert in italics "excepting that each ballot after detachment of the stub by the officer charged with that duty".

Page 62, line 11, strike out "and each ballot voted by an enrolled voter."

Page 62, line 14, before the word "shall" insert "and number of the stub."

Page 62, after line 17, insert:

"§ 81. Unofficial ballots. If, for any cause, the official ballots for any party shall not be provided as required by law at any polling place, upon the opening of the polls of any primary election thereat or if the supply of official ballots for any party shall be exhausted before the polls are closed, unofficial ballots, printed or written, made as nearly as practicable in the form of the official ballot, may be used.

"§ 42. Such chapter is hereby amended by inserting therein as a part of article four-a a new section, to be known as section eighty-two, and read as follows:

"§ 82. Preparation of ballot by voters. On receiving a ballot the voter shall forthwith retire alone to one of the voting booths, and without undue delay unfold and mark his ballot. If he desires to vote a straight ticket, he shall make a cross X mark within the circle above such ticket. If he desires to vote a split ticket, that is, for candidates under different circles, he shall make a cross X mark before the name of each candidate for whom he votes. If the ticket marked in the circle for a straight ticket does not contain the names of all candidates for whom he desires to vote, he may vote for candidates so omitted by marking a cross X mark before the names of candidates for the same office or position on another ticket, or by writing the names, if they are not printed upon the ballot, in the blank column under the title of the office

or party position. One straight line crossing another straight line at any angle within the circle or voting space shall be deemed a valid voting mark. It shall not be lawful to make any mark on the ballot other than a cross X mark for the purpose of voting, and such mark shall be made only with a pencil having black lead, and only in the circle above the voting space to the left of the names of the candidates; except that the voter may write with a pencil having black lead in the blank space at the right of the ballot, under the proper title of the office or party position, the name of any person or persons for whom he desires to vote, whose name or names are not printed upon the ballot; not exceeding with the candidates for whom he has voted by cross X mark the total number of persons by whom such position is to be filled. It shall not be lawful to deface or tear a ballot in any manner, nor to erase any printed name, device, figure, word or letter therefrom, nor to erase any mark made thereon by such voter. If the voter deface or tear a ballot, or wrongfully mark the same or make an erasure thereon, he may obtain one additional ballot on returning to the ballot clerk the one so defaced or wrongfully marked."

Page 62, strike out lines 18 to 26, inclusive.

Page 63, line 1, change numeral "42" to "43".

Page 63, line 2, strike out "eighty-two" and insert "eighty-three".

Page 63, line 3, change numeral "82" to "83".

Page 63, line 15, change numeral "43" to "44".

Page 63, line 16, strike out "eighty-three" and insert in italics "eighty-four".

Page 63, line 18, change numeral "83" to "84".

Page 64, line 7, after "any" insert in italics "official ballot" and a bracket and after "for" insert a bracket.

Page 64, line 17, change numeral "44" to "45".

Page 64, strike out "eighty-four" and insert "eighty-five" in italics.

Page 64, line 20, change numeral "84" to "85".

Page 67, after line 7, insert:

"§ 46. Such chapter is hereby amended by inserting therein as a part of article four-a thereof a new section, to be section eighty-six thereof, to read as follows:

"§ 86. Intent of voters. The following rules shall be observed in determining, upon the canvass of votes at a primary election, the intent of the voters in marking the official ballots; the word 'ticket' referring therein to any group of candidates for nomination to one or more public offices or election to one or more party positions, or both, under the same emblem and circle, namely:

“ Rule No. 1. If the voter shall have made a voting mark in the circle above one ticket only, and no other voting mark appears in any column, and if no name shall have been written in the blank column above such lines he shall be deemed to have cast his vote for all the candidates on the ticket so marked in the circle.

“ Rule No. 2. If the voter shall have made a voting mark in the circle above one ticket only, and shall have also made a voting mark or marks in the voting space or spaces before the name or names of a candidate or candidates only on the ticket so marked in the circle, the voting marks in the spaces before the names of candidates on such ticket shall be treated as surplusage, and his vote shall be deemed to have been cast for all the candidates on the ticket so marked in the circle.

“ Rule No. 3. If the voter shall have made a voting mark in the circle above one ticket only, and shall have also made a voting mark in the voting space or spaces before the name or names of a candidate or candidates on one or more other tickets, he shall be deemed to have cast his vote for all the candidates on the ticket so marked in the circle, except for those for whom he has indicated his intention not to vote, by making a voting mark in the voting space before the name or names of individual candidates, on one or more other tickets, or by writing a name in the blank column, and the candidate or candidates so individually voted for on such other ticket or tickets shall be deemed to be the voter's choice for such other office or offices, party position or positions; provided, however, that:

“ Rule No. 4. When two or more persons are to be voted for for the same party position or public office, and the names of the several candidates therefor are printed under the title of the position or office for which all are running, and the voter shall have made a voting mark in the circle at the head of the ticket, and shall have also made a voting mark in the voting space before the name of one or more of a group of candidates for such party position or office on other tickets, provided that he shall not have marked the names of two or more of such candidates upon the same line upon the ballot, he shall be deemed to have cast his vote for all the candidates for such position or office so individually marked and for those in the circle, except for those candidates under such circles so marked whose names are upon the same line on the ballot, as the names of the candidates so individually marked, or written in the blank column, unless in addition to making the voting mark in the circle at the head of the ticket he shall also have made a voting mark before each one of the group of candidates for such party position or office for whom he desires to vote on the ticket so marked in the circle; provided further, however, that:

“ Rule No. 5. When two or more persons are to be voted for for the same party position or public office, and the names of the several candidates therefor are printed on any ticket under the title of the party position or office for which all are running, and the voter shall have made a voting mark in the circle at the head of the ticket, and shall also have made a voting mark in the voting space before the name of more than one of the group of candidates for such party position or office printed on the same line on the ballot on other tickets, or by writing the name or names of a candidate or candidates in the blank column, he must also indicate by voting marks in the voting spaces on the ticket so marked in the circle the individual candidates or the group of candidates on such ticket for whom he desires to vote, or his vote shall only be counted for the candidates for such party positions or offices which are so individually marked on other tickets, or written in the blank column.

“ Rule No. 6. If the voter shall have made a voting mark in more than one circle at the head of the tickets, and if on either of such tickets there shall be one or more candidates for nomination to office or election to party position for which no other candidate or candidates is or are named on such other ticket or tickets so marked in the circle, his vote shall be counted for such candidate or candidates.

“ Rule No. 7. Subject to the foregoing rules if the voter marks more names than there are persons to be nominated for an office or elected to a party position, or if for any other reason it is impossible to determine the voter's choice of a candidate for nomination to an office or election to a party position, his vote shall not be counted for any nomination to such office or election to such party position but shall be returned as a blank vote for such office or party position.

“ Rule No. 8. A void ballot is a ballot upon which there shall be found any mark other than a single cross X mark made for the purpose of voting, which voting mark must be made with a pencil having black lead, only in the circles or in the voting spaces to the left of the names of candidates; or one upon which anything is written other than the name or names of persons not printed upon the ballot, for whom the voter desires to vote, which must be written in the blank column under the proper title of the office or party position with a pencil having black lead; or one which is defaced or torn by the voter; or one upon which there shall be found any erasure of any printed device, figure, letter or word, or of any name or mark written thereon, by each voter; or in which shall be found inclosed a separate piece of paper or other material; and upon such ballot no vote for any candidate thereon shall be counted.”

Page 67, line 8, strike out numeral "45" and insert numeral "47".

Page 67, line 10, strike out "eighty-five" and insert "eighty-seven".

Page 67, line 12, strike out numeral "85" and insert numeral "87".

Page 68, line 4, strike out numeral "46" and insert numeral "48".

Page 68, line 5, strike out "eighty-six" and insert "eighty-eight".

Page 68, line 7, strike out numeral "86" and insert numeral "88".

Page 69, line 3, after the word "and" and before the word "shall" insert in italics "together with the box containing the stubs."

Page 69, line 16, change numeral "47" to numeral "49".

Page 69, line 18, change "eighty-seven" to "eighty-nine".

Page 69, line 19, change numeral "87" to "89".

Page 72, strike out lines 4, 5 and 6, and insert:

"§ 50. Such chapter is hereby amended by inserting therein as a part of article four-a a new section, to be known as section ninety, and to read as follows:

"§ 90. Filling vacancies and determination of tie vote after primaries. A vacancy in a nomination for public office at a primary election shall be filled as follows: A vacancy caused by the declination, disqualification or death of a candidate, or by a tie vote, shall be filled by the committee of the party authorized by this chapter to make designation for such office. Such vacancy may be filled by a majority vote of a quorum of such committee, except that in case of a vacancy caused by a tie vote it shall be filled by a two-thirds vote thereof. Certificates of such nomination shall be filed in the office in which a designation of a candidate for such office is required to be filed.

"§ 51. Such chapter is hereby amended by inserting therein as a part of article four-a a new section, to be section ninety-one, to read as follows:

Page 72, line 7, change numeral "88" to numeral "91".

Page 72, line 11, change numeral "49" to numeral "52".

Page 72, line 12, change "eighty-nine" to "ninety-two".

Page 72, line 14, change numeral "89" to numeral "92".

Page 73, after line 5, insert the following:

"There shall be a chairman and secretary for each unofficial primary and there may be tellers. No person shall be entitled to vote in an unofficial primary unless he may be qualified to vote on the day of election."

"The chairman may administer any oath required to be administered at any primary and he shall decide all questions that arise relating to the qualifications of voters when a voter is challenged by any elector and shall reject such vote unless the person offering the vote is willing to be and shall be sworn that he will truly answer all questions put to him touching his qualifications as such voter and shall state under oath that he is qualified to vote at such primary.

"The ballot box used at any primary shall be examined by the secretary and by the tellers, if any, in the presence of the watchers, if any, before any ballots are received, to see that there are no ballots therein. Such watchers are entitled to be present from the commencement of the primary to the close of the canvass and the signing of the certificates thereof. At the close of the canvass of the ballots cast for each candidate, the secretary shall publicly announce the vote and the result of the canvass.

"No unofficial primary election shall be held in a saloon or drinking place, or in a room which is more than one flight of stairs from the street or not readily accessible from the street."

Page 73, line 6, change numeral "50" to numeral "53".

Page 73, line 7, strike out "ninety" and insert "ninety-three".

Page 73, line 9, change numeral "90" to numeral "93".

Page 73, line 21, change numeral "51" to numeral "54".

Page 73, line 22, strike out "ninety" and insert "ninety-four".

Page 73, line 23, strike out "one".

Page 73, line 24, change numeral "91" to "94".

Page 74, line 3, change numeral "52" to "55".

Page 74, line 4, strike out "ninety-two" and insert "ninety-five".

Page 74, line 6, change numeral "92" to "95".

Page 74, line 10, change numeral "53" to "56".

Page 74, line 11, strike out "ninety" and insert "ninety-six".

Page 74, line 12, strike out "three".

Page 74, line 13, change numeral "93" to "96".

Page 78, line 16, change numeral "54" to "57".

Page 79, line 1, change numeral "55" to "58".

Page 79, line 12, change numeral "56" to "59".

Page 80, line 21, change numeral "57" to "60".

Page 82, line 13, change numeral "58" to "61".

Page 82, line 23, change numeral "59" to "62".

Page 83, line 7, change numeral "60" to "63".

Page 104, line 8, change numeral " 61 " to " 64 ".

Page 104, line 19, change numeral " 62 " to " 65 ".

Page 105, line 12, change numeral " 63 " to " 66 ".

Page 105, line 14, after " fifty-four " insert " fifty-five ".

Page 45, lines 9 to 19, inclusive, strike out all and insert in italics: " 4. All other nominations and elections by a political party, both for party nominations and party positions, shall be made at the primary election herein provided for except that party nominations for town, ward and village officers and for the office of school director shall be made in the manner prescribed by rules to be adopted by the party committee of the county wherein such town, village or school district is located. and of the city committee wherein such ward is located."

Page 39, line 9, strike out " subject to approval of such State convention ".

Page 80, strike out line 16.

Page 80, line 17, strike out everything before "All ".

Page 80, line 18, strike out " other ".

Debate was had thereon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 65

NOES 67

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-----------|--------------|------------|
| Adler | Collin | Higgins | Murray | Smith T K |
| Baumes | Cosad | Hoff | Myers | Sweet |
| Beach | Day | Hollmann | O'Connor | Terry |
| Blauvelt | Drummond | Hoyt | Patrie | Thorn |
| Brace | Evans | Huber | Phillips C W | Trombly |
| Brereton | Fillely | Jones | Phillips J S | Ward |
| Bridenbecker | Friedman | Kennedy | Saunders | Warren |
| Brooks | Geatons | Keys | Seeley | Waters F A |
| Brown | Goodman | Kopp | Shannon | Wende |
| Bryant | Gould | LaReau | Shea | Wheeler |
| Bush | Gurnett | MacGregor | Shepardson | Wilson |
| Chanler | Hart | McDaniels | Shlivek | Yeomans |
| Cheney | Herrick W R | Miller | Shortt | Speaker |

Those who voted in the negative were:

| | | | | |
|-------------|-------------|-------------|------------|----------------|
| Allen | Ebbetts | Hackett | Martin | Parker J S |
| Boylan | Egan | Haines | McCue | Schifferdecker |
| Brennan | Farrell | Hammond | McElligott | Sheide |
| Butler | Fay | Hearn | McGrath | Smith A E |
| Carew | Fitzpatrick | Herrick J J | McKeon | Spielberg |
| Caughlan | Foley | Heyman | Merritt | Stivers |
| Coffey | Gerhardt | Hoey | Monczynski | Turley |
| Colné | Gerken | Jackson | Mork | Walker |
| Constantine | Gillen | Jameson | Neupert | Waring |

| | | | | |
|-----------|-----------|----------|------------|-------|
| Cross | Goldberg | Lent | Nolan | Weil |
| Cuvillier | Goldstein | Levy A J | Oliver | Yale |
| Dawson | Graubard | Levy J | O'Neil M A | Young |
| Donnelly | Gray | Manley | Parker A | Zorn |
| Donovan | Gregg | | | |

Mr. Warren moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith, amended by substituting therefor the following substitute bill:

(See Appendix No. 32.)

Debate was had thereon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

AYES 66

NOES 65

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|------------|------------|
| Allen | Constantine | Haines | MacGregor | Stivers |
| Baumes | Cosad | Hammond | McDaniels | Sweet |
| Beach | Cross | Hart | Miller | Terry |
| Brace | Day | Herrick W R | Murray | Thorn |
| Brereton | Drummond | Higgins | Myers | Trombly |
| Bridenbecker | Ebbetts | Hoff | O'Connor | Ward |
| Brooks | Evans | Hollmann | Parker A | Warren |
| Brown | Farrell | Hoyt | Saunders | Waters F A |
| Bryant | Filley | Huber | Shea | Wende |
| Bush | Friedman | Kennedy | Shepardson | Wheeler |
| Butler | Geatons | Kopp | Shlivek | Wilson |
| Chanler | Goodman | LaReau | Shortt | Yeomans |
| Collin | Gurnett | Lent | Smith T K | Young |
| Colné | | | | |

Those who voted in the negative were:

| | | | | |
|-----------|-------------|-------------|--------------|----------------|
| Adler | Fay | Hearn | McGrath | Schifferdecker |
| Blauvelt | Fitzpatrick | Herrick J J | McKeon | Seeley |
| Boylan | Foley | Heyman | Merritt | Shannon |
| Brennan | Gerhardt | Hoey | Monczynski | Sheide |
| Carew | Gerken | Jackson | Mork | Smith A E |
| Caughlan | Gillen | Jameson | Neupert | Spielberg |
| Cheney | Goldberg | Jones | Nolan | Turley |
| Coffey | Goldstein | Keys | Oliver | Walker |
| Cuvillier | Gould | Levy A J | O'Neil M A | Waring |
| Dawson | Graubard | Levy J | Parker J S | Weil |
| Donnelly | Gray | Manley | Patrie | Yale |
| Donovan | Gregg | McCue | Phillips C W | Zorn |
| Egan | Hackett | McElligott | Phillips J S | Speaker |

Mr. Bush moved to reconsider the vote by which Assembly bill (No. 2598, Int. No. 1660), entitled "An act to amend the Election Law, in relation to nominations and primaries," was amended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

AYES 67

NOES 55

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|-------------|-------------|----------------|
| Adler | Egan | Herrick J J | McElligott | Phillips C W |
| Blauvelt | Fay | Heyman | McGrath | Phillips J S |
| Boylan | Fitzpatrick | Hoey | McKeon | Schifferdecker |
| Brennan | Foley | Jackson | Merritt | Seeley |
| Bush | Gerhardt | Jameson | Monczynski | Shannon |
| Carew | Gerken | Jones | Mork | Sheide |
| Caughlan | Gillen | Keys | Neupert | Smith A E |
| Chanler | Goldberg | Kopp | Nolan | Spielberg |
| Cheney | Goldstein | Levy A J | Oliver | Turley |
| Collin | Gould | Levy J | O'Neill J J | Walker |
| Cuvillier | Graubard | Manley | O'Neil M A | Weil |
| Dawson | Gray | Martin | Parker J S | Yale |
| Donnelly | Gregg | McCue | Patrie | Zorn |
| Donovan | Hackett | | | |

Those who voted in the negative were:

| | | | | |
|--------------|----------|-------------|------------|------------|
| Allen | Cross | Herrick W R | Murray | Terry |
| Baumes | Day | Higgins | Myers | Thorn |
| Beach | Drummond | Hollmann | O'Connor | Trombly |
| Brace | Ebbetts | Hoyt | Parker A | Ward |
| Bridenbecker | Evans | Huber | Saunders | Warren |
| Brooks | Farrell | Kennedy | Shea | Waters F A |
| Brown | Friedman | LaReau | Shepardson | Wende |
| Butler | Geatons | Lent | Shlivek | Wheeler |
| Colné | Goodman | MacGregor | Shortt | Wilson |
| Constantine | Haines | McDaniels | Stivers | Yeomans |
| Cosad | Hammond | Miller | Sweet | Young |

Mr. Speaker announced the pending question to be the amendments offered by Mr. Warren.

Debate was had thereon, when Mr. A. E. Smith moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Warren, and it was determined in the negative.

AYES 61

NOES 65

Those who voted in the affirmative were:

| | | | | |
|--------|----------|-------------|-----------|---------|
| Allen | Cosad | Hammond | McDaniels | Stivers |
| Baumes | Cross | Herrick W R | Miller | Sweet |
| Beach | Day | Higgins | Murray | Terry |
| Brace | Drummond | Hoff | Myers | Thorn |

| | | | | |
|--------------|----------|-----------|------------|------------|
| Brereton | Ebbetts | Hollmann | O'Connor | Trombly |
| Bridenbecker | Evans | Hoyt | Parker A | Ward |
| Brooks | Farrell | Huber | Saunders | Warren |
| Brown | Friedman | Kennedy | Shea | Waters F A |
| Butler | Geatons | Kopp | Shepardson | Wheeler |
| Chanler | Goodman | LaReau | Shlivek | Wilson |
| Collin | Gurnett | Lent | Shortt | Yeomans |
| Colné | Haines | MacGregor | Smith T K | Young |
| Constantine | | | | |

Those who voted in the negative were:

| | | | | |
|-----------|-------------|-------------|------------|----------------|
| Adler | Egan | Hackett | McCue | Phillips C W |
| Blauvelt | Fay | Hearn | McElligott | Phillips J S |
| Boylan | Fitzpatrick | Herrick J J | McGrath | Schifferdecker |
| Brennan | Foley | Heyman | McKeon | Seeley |
| Bush | Gerhardt | Hoey | Merritt | Shannon |
| Carew | Gerken | Jackson | Monczynski | Sheide |
| Caughlan | Gillen | Jameson | Mork | Smith A E |
| Cheney | Goldberg | Jones | Neupert | Spielberg |
| Coffey | Goldstein | Keys | Nolan | Tuiley |
| Cuvillier | Gould | Levy A J | Oliver | Walker |
| Dawson | Graubard | Levy J | O'Neil M A | Waring |
| Donnelly | Gray | Manley | Parker J S | Weil |
| Donovan | Gregg | Martin | Patrie | Yale |

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 76

NOES 51

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Baumes | Donovan | Gregg | MacGregor | Seeley |
| Blauvelt | Drummond | Gurnett | Manley | Shea |
| Boylan | Egan | Hackett | Martin | Sheide |
| Brennan | Farrell | Haines | McCue | Shepardson |
| Bridenbecker | Fay | Hearn | McElligott | Smith A E |
| Brooks | Fitzpatrick | Herrick J J | McGrath | Spielberg |
| Bu h | Foley | Herrick W R | McKeon | Trombly |
| Carew | Geatons | Heyman | Monczynski | Tuiley |
| Caughlan | Gerhardt | Hoey | Mork | Walker |
| Chanler | Cerken | Hollmann | Myers | Warren |
| Collin | Gillen | Hoyt | Neupert | Waters F A |
| Cosad | Goldberg | Jackson | Oliver | Weil |
| Cuvillier | Goldstein | Jameson | O'Neil M A | Wende |
| Dawson | Gould | Levy A J | Patrie | Zorn |
| Day | Graubard | Levy J | Schifferdecker | Speaker |
| Donnelly | | | | |

Those who voted in the negative were:

| | | | | |
|-------|----------|--------|--------------|-------|
| Adler | Evans | Keys | Parker A | Sweet |
| Allen | Friedman | Kopp | Parker J S | Terry |
| Beach | Goodman | LaReau | Phillips C W | Thorn |

| | | | | |
|-------------|---------|-----------|--------------|---------|
| Brace | Gray | Lent | Phillips J S | Ward |
| Breton | Hammond | McDaniels | Saunders | Waring |
| Brown | Higgins | Merritt | Shannon | Wheeler |
| Butler | Hoff | Miller | Shlivek | Wilson |
| Colné | Huber | Murray | Shortt | Yale |
| Constantine | Jones | Nolan | Smith T K | Yeomans |
| Cross | Kennedy | O'Connor | Stivers | Young |
| Ebbetts | | | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 2567, Int. No. 1123) entitled "An act to amend the Liquor Tax Law, in relation to obstructions in windows," having been announced,

Debate was had thereon.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 76

NOES 46

Those who voted in the affirmative were:

| | | | | |
|-------------|-------------|-------------|------------|----------------|
| Adler | Fay | Haines | Martin | Schifferdecker |
| Boylan | Fitzpatrick | Hearn | McCue | Seeley |
| Brennan | Foley | Herrick J J | McElligott | Sheide |
| Brooks | Geatons | Herrick W R | McGrath | Shortt |
| Bush | Gerhardt | Heyman | McKeon | Smith A E |
| Carew | Gerken | Hoey | Miller | Spielberg |
| Caughlan | Gillen | Hollmann | Monczynski | Terry |
| Constantine | Goldberg | Jackson | Mork | Trombly |
| Cosad | Goldstein | Jameson | Myers | Turley |
| Cuvillier | Goodman | Jones | Neupert | Walker |
| Dawson | Gould | Kennedy | Nolan | Ward |
| Donnelly | Graubard | Kopp | O'Connor | Warren |
| Donovan | Gregg | Levy A J | Oliver | Weil |
| Drummond | Gurnett | Levy J | O'Neil M A | Wende |
| Egan | Hackett | Manley | Parker A | Zorn |
| Farrell | | | | |

Those who voted in the negative were:

| | | | | |
|--------------|---------|-----------|--------------|------------|
| Allen | Cheney | Hoff | Murray | Sweet |
| Baumes | Collin | Hoyt | Parker J S | Thorn |
| Beach | Colné | Huber | Patrie | Waring |
| Blauvelt | Ebbetts | Keys | Phillips J S | Waters F A |
| Brace | Filley | LaReau | Saunders | Wheeler |
| Breton | Gray | Lent | Shannon | Wilson |
| Bridenbecker | Hammond | MacGregor | Shea | Yale |
| Brown | Hart | McDaniels | Shepardson | Yeomans |
| Bryant | Higgins | Merritt | Stivers | Young |
| Chanler | | | | |

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2578, Int. No. 1248) entitled "An act to consolidate and revise the laws relating to the city of Lockport," having been announced for a third reading,

On motion of Mr. Gould, said bill was laid aside and ordered stricken from the calendar.

The Senate returned the Assembly bill (No. 2476, Senate Reprint No. 2222, Int. No. 1910), entitled "An act to amend the Tax Law, in relation to the appointment of transfer tax appraisers, stenographers and clerks," with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 5, after the comma after the word "Nassau" insert the word "Niagara".

Page 3, line 22, after the word "year" insert the following: "and the appraiser of Queens county with one clerk, whose salary not exceed the sum of twelve hundred dollars a year".

Mr. Goldberg moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 2

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|-------------|-------------|------------|
| Adler | Day | Hearn | McGrath | Shlivek |
| Baumes | Donnelly | Herrick J J | McKeon | Shortt |
| Beach | Donovan | Herrick W R | Merritt | Smith A E |
| Blauvelt | Drummond | Heyman | Miller | Spielberg |
| Brace | Ebbetts | Higgins | Monczynski | Stivers |
| Brennan | Egan | Hoev | Mork | Sweet |
| Breton | Evans | Hoff | Myers | Talmage |
| Bridenbecker | Farrell | Hollmann | Neupert | Terry |
| Brooks | Fay | Hoyt | Nolan | Thorn |
| Brown | Foley | Huber | O'Connor | Walker |
| Bryant | Friedman | Jackson | Oliver | Ward |
| Bush | Ceatons | Jameson | O'Neill J J | Waring |
| Butler | Gerhardt | Jones | O'Neil M A | Warren |
| Carew | Gerken | Kennedy | Parker A | Washburn |
| Caughlan | Gillen | Kopp | Parker J S | Waters F A |

| | | | | |
|-------------|----------|------------|----------------|------------|
| Chanler | Goldberg | Lansing | Patrie | Waters R B |
| Cheney | Goodman | LaReau | Phillips C W | Weil |
| Coffey | Gould | Lent | Phillips J S | Wende |
| Collin | Graubard | Levy J | Saunders | Wheeler |
| Colné | Gregg | MacGregor | Schifferdekcer | Wilson |
| Constantine | Gurnett | Manley | Seeley | Yale |
| Cosad | Hackett | Martin | Shannon | Yeomans |
| Cross | Haines | McCue | Shea | Young |
| Cuvillier | Hammond | McDaniels | Sheide | Zorn |
| Dawson | Hart | McElligott | Shepardson | |

Those who voted in the negative were:

Levy A J Murray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1921, Senate Re-print No. 2221, Int. No. 1582), entitled "An act to amend the Greater New York charter, in relation to clerks and assistant clerks of the municipal court, in the boroughs of Queens and Richmond, in the city of New York," with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 2, strike out the words "at their present salaries".

Page 2, lines 2 and 3, strike out the words "and at their present salaries".

Mr. Fitzpatrick moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|-------------|------------|------------|
| Adler | Donnelly | Herrick J J | McGrath | Shepardson |
| Baumes | Donovan | Herrick W R | McKeon | Shlivek |
| Beach | Drummond | Heyman | Merritt | Shortt |
| Blauvelt | Ebbetts | Higgins | Miller | Smith A E |
| Brace | Egan | Hoey | Monczynski | Spielberg |
| Brennan | Evans | Hoff | Mork | Stivers |
| Brereton | Farrell | Hollmann | Murray | Sweet |
| Bridenbecker | Fay | Hoyt | Myers | Talmage |

| | | | | |
|-------------|----------|------------|----------------|------------|
| Brooks | Foley | Huber | Neupert | Terry |
| Brown | Friedman | Jackson | Nolan | Thorn |
| Bryant | Geatons | Jameson | O'Connor | Walker |
| Bush | Gerhardt | Jones | Oliver | Ward |
| Butler | Gerken | Kennedy | O'Neill J J | Waring |
| Carew | Gillen | Kopp | O'Neil M A | Warren |
| Caughlan | Goldberg | Lansing | Parker A | Washburn |
| Chanler | Goodman | LaReau | Parker J S | Waters F A |
| Cheney | Gould | Lent | Patrie | Waters R B |
| Coffey | Graubard | Levy A J | Phillips C W | Weil |
| Collin | Gregg | Levy J | Phillips J S | Wende |
| Colné | Gurnett | MacGregor | Saunders | Wheeler |
| Constantine | Hackett | Manley | Schifferdecker | Wilson |
| Cosad | Haines | Martin | Seeley | Yale |
| Cross | Hammond | McCue | Shannon | Yeomans |
| Cuvillier | Hart | McDaniels | Shea | Young |
| Dawson | Hearn | McElligott | Sheide | Zorn |
| Day | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2545, Senate Reprint No. 2227, Int. No. 1247), entitled "An act to amend the Liquor Tax Law, in relation to the issuance and limitation of certificates," with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 7, after the comma after the word "ten" insert "as amended by chapter two hundred and ninety-eight of the Laws of nineteen hundred and eleven".

Page 3, line 12, after the word "may" insert in italics the words "have been or may be".

Page 3, line 12, bracket the word "be", thus "[be]".

Page 3, line 12, after the word "on" and before the comma insert in italics the words "under said certificate".

Page 3, line 13, bracket the word "the", thus "[the]".

Page 3, line 13, before the word "premises" insert in italics the word "said".

Page 3, line 14, bracket the words "named in", thus "[named in]".

Page 3, line 14, insert in italics the word "under" before the word "such".

Page 3, line 14, after the word "certificate" insert in italics the words "whether the holder of such certificate be in possession of such premises or not".

Page 3, line 20, bracket the word "abandoned", thus "[abandoned]".

Page 3, line 20, after the word "premises" insert in italics the words "named in such certificate".

Page 3, line 20, after the word "liquors" insert in italics the words "in any premises".

Page 3, line 21, before the word "subdivision" insert in italics the words "a certificate issued under".

Page 3, line 22, after the word "notice" insert in italics the words "of abandonment".

Page 3, line 22, strike out the word "either".

Page 3, line 23, strike out the words "subdivision one or two of this section" and insert in place and instead of the words stricken out in italics the words "the subdivision under which such certificate was issued".

Page 3, line 23, strike out the words "the new".

Page 3, line 24, strike out the word "place" and insert in place thereof in italics the words "such other premises".

Page 3, line 24, after the word "abandonment" and before the comma insert in italics the words "as the premises in which it is intended to carry on such traffic".

Page 3, line 26, strike out the word "cities" and insert in place thereof in italics the words "a city".

Page 4, line 2, after the word "holder" insert in italics the words "or by his duly authorized attorney".

Page 4, line 17, after the word "traffic" insert in italics the words "under such certificate".

Page 4, line 21, bracket the words "for a", thus "[for a]".

Page 4, line 21, insert before the word "certificate" in italics the words "to transfer such".

Page 4, line 21, after the word "certificate" insert in italics the words "from the premises named in such certificate and".

Page 4, line 22, bracket the word "thereat", thus "[thereat]".

Page 4, line 22, before the word "shall" insert in italics the words "at such other premises mentioned in the abandonment notice as the premises in which it is intended to carry on such traffic".

Page 4, line 25, before the word "except" insert a bracket.

Page 4, line 26, after the word "no" insert a bracket.

Page 5, line 1, before the words "liquor tax" insert in italics the words "It shall be unlawful for any certificate issuing officer at any time during the unexpired term of any".

Page 5, line 2, after the word "section" insert in italics the words "in any premises".

Page 5, line 2, before the word "shall" insert a bracket and after the comma after the word "for" insert a bracket, thus "[shall thereafter be issued for,]".

Page 5, line 3, before the words "and it shall" insert in italics the words "to issue a new liquor tax certificate for said premises".

unless the certificate first mentioned in this clause shall have been revoked or forfeited under the provisions of this chapter or unless said certificate shall have been surrendered by the holder thereof or his duly authorized attorney under the provisions of section twenty-four of this chapter."

Page 5, line 5, after the word "abandoned" and before the comma insert in italics the words "under a liquor tax certificate unless such notice becomes null and void as aforesaid".

Page 5, line 5, before the word "unless" insert in italics the word "or".

Page 5, line 5, after the word "shall" insert in italics the words "have been previously filed or shall".

Mr. McCue moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|-------------|----------------|------------|
| Adler | Donnelly | Herrick J J | McGrath | Shepardson |
| Baumes | Donovan | Herrick W R | McKeon | Shlivek |
| Beach | Drummond | Heyman | Merritt | Shortt |
| Blauvelt | Ebbetts | Higgins | Miller | Smith A E |
| Brace | Egan | Hoey | Monezynski | Spielberg |
| Brennan | Evans | Hoff | Mork | Stivers |
| Brereton | Farrell | Hollmann | Murray | Sweet |
| Bridenbecker | Fay | Hoyt | Myers | Talmage |
| Brooks | Foley | Huber | Neupert | Terry |
| Brown | Friedman | Jackson | Nolan | Thorn |
| Bryant | Geatons | Jameson | O'Connor | Walker |
| Bush | Gerhardt | Jones | Oliver | Ward |
| Butler | Gerken | Kennedy | O'Neill J J | Waring |
| Carew | Gillen | Kopp | O'Neil M A | Warren |
| Caughlan | Goldberg | Lansing | Parker A | Washburn |
| Chanler | Goodman | LaReau | Parker J S | Waters F A |
| Cheney | Gould | Lent | Patrie | Waters R B |
| Coffey | Graubard | Levy A J | Phillips C W | Weil |
| Collin | Gregg | Levy J | Phillips J S | Wende |
| Colné | Gurnett | MacGregor | Saunders | Wheeler |
| Constantine | Hackett | Manley | Schifferdecker | Wilson |
| Cosad | Haines | Martin | Seeley | Yale |
| Cross | Hammond | McCue | Shannon | Yeomans |
| Cuvillier | Hart | McDaniels | Shea | Young |
| Dawson | Hearn | McElligott | Sheide | Zorn |
| Day | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 606, Senate Reprint No. 2121, Int. No. 118), entitled "An act to amend the Agricultural Law, in relation to representations in the sale of certain articles of food kept or preserved in cold storage or refrigerating warehouses," with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 6, after the word "food" insert the word "not" in italics.

Page 1, line 8, after the word "corporations" strike out the remainder of said line and insert in italics in place thereof the words "in selling, offering, advertising, or exposing".

Page 2, line 1, strike out the word "for" at the end thereof.

Page 2, lines 2, 3, 4, 5 to be stricken out.

Page 2, line 6, at the beginning of said line strike out the words "shall be unlawful".

Mr. Ebbets moved to concur in the Senate amendments.

Objection being made to the immediate consideration of said message,

Ordered, That said message together with said bill be referred to the committee on rules.

Mr. Foley offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 1540, Int. No. 1309), entitled "An act to amend chapter four hundred and three of the Laws of nineteen hundred and three, entitled 'An act to create and establish a city court in and for the city of Cohoes, to provide for the appointment of the officers thereof, and to regulate the practice in said court,' in relation to the election and term of office of the city judge," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Dawson offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1228, Int. No. 1061), entitled "An act to release to the heirs-at-law of John Elliott all the right, title and interest of the people of the State of New York in and to certain real estate, formerly owned by Matilda Clifton, deceased, in the city of Buffalo," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Gurnett offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 1537, Int. No. 1306), entitled "An act to amend the Forest, Fish and Game Law, in relation to appointment of special game protectors and wardens," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the bill (No. 2518, Int. No. 1928), entitled "An act creating a railway terminal station commission of the city of Buffalo, defining its powers and authorizing said city to issue its bonds," with a message that this bill was again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be: "Shall this bill pass notwithstanding the objection of the mayor of the city of Buffalo thereto?"

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 2241, Int. No. 1808), entitled "An act to amend an act, entitled 'An act to extend the time within which the International Railway Company and the Crosstown Street Railway Company of Buffalo shall complete their railroads in the city of Buffalo, and begin the operation of same beyond their present construction and operation,'" with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 142, Int. No. 141), entitled "An act to authorize the board of assessors of the city of New York to estimate and allow the damages sustained by owners of real property fronting upon streets approaching the Manhattan bridge over the East river in said city," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2417, Int. No. 1402), entitled "An act to provide for the regulation and improvement of the railroad, terminals and approaches thereto, and of the motive power to be used thereon, of the New York Central and Hudson River Railroad Company in the city of New York, and, for such purpose, for discontinuing the use at grade by said company of certain streets, avenues, public parks or places in said city, and also for such purpose, to authorize the city of New York to grant real property and rights from said railroad company, and to acquire property and rights from said railroad company," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Edward Schoeneck, mayor of the city of Syracuse, returning Assembly bill (No. 2565, Int. No. 1793), entitled "An act to amend chapter six hundred and eighty-five of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the department of public safety of the city of Syracuse,'" with a message that said mayor and the the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 1586, Int. No. 345), entitled "An act authorizing the board of estimate and apportionment of the city of New York to hear and determine, and the comptroller of the city of New York to pay the

claim of Donald Grant against the city of New York," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

Mr. A. E. Smith gives notice that he will on Thursday, July 20th, move to suspend Assembly Rule No. 6, for the purpose of reconsidering the vote by which Senate concurrent resolution (No. 2013, Rec. No. 466), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section four of article four of the Constitution, in relation to the salary of Governor," was passed, and for the purpose of repassing said concurrent resolution in its amended form.

On motion of Mr. A. E. Smith, the House adjourned.

THURSDAY, JULY 20, 1911.

The House met pursuant to adjournment.

Prayer by Rev. W. M. Gage.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *July 18, 1911.*

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 2207), entitled "An act to amend the Code of Criminal Procedure, in relation to appointment of probation officers for the court of general sessions in the city and county of New York."

The section which this bill seeks to amend has been heretofore amended this session of the Legislature, by chapter 606 of the Laws of 1911. This bill does not include the amendment made by such chapter and if I should approve it in its present form, it would destroy the amendment heretofore made.

I therefore disapprove this bill.

JOHN A. DIX.

On motion of Mr. A. J. Levy, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 18, 1911.*

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 1677), entitled "An act to amend the Village Law, in relation to the registration of voters."

This bill is an exact duplicate of chapter 427 of the Laws of 1911 and it would serve no useful purpose to have two laws identically the same upon the statute books.

For this reason I disapprove this bill.

JOHN A. DIX.

On motion of Mr. Young, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 18, 1911.*

To the Assembly:

I herewith return, without my approval, Assembly bill (Printed No. 482), entitled "An act to amend the Military Law, in relation to the use of armories by regular organizations of the National Scouts of the United States."

This bill amends the Military Law, relative to the use of State armories, by permitting such armories to be used by regular organizations of the National Scouts of the United States.

This bill is objected to for the reason that there are numerous organizations similar in purpose in the United States and it is not, in my judgment, sound public policy that the selection of one organization for special consideration in the use of armories should be made and deny such use to other similar organizations.

For this reason I disapprove the bill.

JOHN A. DIX.

On motion of Mr. Donnelly, said message together with said bill was ordered laid upon the table.

Mr. Shannon gives notice that he requests that the Senate bill introduced by Mr. Platt (No. 2210, Rec. No. 597), entitled "An act to legalize the official acts of certain justices of the peace and authorizing them to execute and file official bonds and official oaths and certificate," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Donnelly gives notice that he requests that the Senate bill introduced by Mr. Cronin (No. 2189, Rec. No. 607), entitled "An act to amend the Judiciary Law, in relation to the chief clerk and assistants for the County Court of Kings county," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Haines gives notice that he requests that the Senate bill introduced by Mr. Wainwright (No. 2197, Rec. No. 605), entitled "An act to authorize the issuance and sale of bonds of the city of Yonkers, in the principal sum of ninety thousand dollars, to cover the deficiency in the estimated revenues of the city for the years nineteen hundred to nineteen hundred and ten, inclusive," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hoey gives notice that he requests that the Senate bill introduced by Mr. McManus (No. 2238, Rec. No. 594), entitled "An act to authorize the reinstatement of David Heilferty as court attendant of the court of general sessions of the peace in the city and county of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Frawley (No. 1650, Rec. No. 584), entitled "An act making an appropriation for the necessary furniture for rooms and offices in the State Education building, in-

cluding the State library and State museum," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Frawley (No. 1651, Rec. No. 606), entitled "An act making an appropriation for the completion of the construction of the State Education building and for the equipment thereof," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Frawley (No. 2060, Rec. No. 536), entitled "An act to reappropriate certain moneys for the general expense of the Naval Militia," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Gurnett gives notice that he requests that the Senate bill introduced by Mr. Murtaugh (No. 2198, Rec. No. 580), entitled "An act to amend the Forest, Fish and Game Law, in relation to hunting hares and rabbits," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Frawley (No. 2024, Rec. No. 494), entitled "An act to amend the State Finance Law, in relation to insuring publicity with respect to the demands upon the State, and to facilitate the legislative committees in dealing with questions of appropriation," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Frawley (No. 2048, Rec. No. 495), entitled "An act making an appropriation for highway improvement

purposes," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Myers gives notice that he requests that the Senate bill introduced by Mr. White (No. 2149, Rec. No. 600), entitled "An act in relation to the conveyance of abandoned canal lands to and the use of by the city of Schenectady," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Frawley (No. 495, Rec. No. 53), entitled "An act to amend section two thousand four hundred and thirty-four of the Code of Civil Procedure, in relation to what judge may entertain proceedings supplementary to and in aid of execution," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Myers gives notice that he requests that the Senate bill introduced by Mr. White (No. 2150, Rec. No. 599), entitled "An act in relation to the conveyance of abandoned canal lands, situated in the towns of Rotterdam and Niskayuna, to the city of Schenectady, and the use thereof by said city," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Ward gives notice that he requests that the Senate bill introduced by Mr. Bayne (No. 352, Rec. No. 329), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section seven of article one of the Constitution, in relation to condemnation proceedings," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. R. B. Waters gives notice that he requests that the Senate bill introduced by Mr. Sage (No. 1056, Rec. No. 510), entitled

"An act making an appropriation for the purchase of an addition to the site of the State Normal College," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. J. S. Phillips gives notice that he requests that the Senate bill introduced by Mr. Ferris (No. 1390, Rec. No. 534), entitled "An act to amend the Penal Law, in relation to equipment and use of boats, barges, vessels and floating structures," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Drummond gives notice that he requests that the Senate bill introduced by Mr. Hewitt (No. 1274, Rec. No. 364), entitled "An act to amend the Prison Law, in relation to compensation of certain officers," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Jackson gives notice that he requests that the Senate bill introduced by Mr. Loomis (No. 1078, Rec. No. 370), entitled "An act making an appropriation for the construction of new buildings for the Buffalo State Normal and Training School, as provided by chapter five hundred and twenty of the Laws of nineteen hundred and ten," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Cheney gives notice that he requests that the Senate bill introduced by Mr. Hamilton (No. 2148, Rec. No. 391), entitled "An act to amend the Highway Law, in relation to the course and description of State route number four," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Butler gives notice that he requests that the Senate bill introduced by Mr. Hinman (No. 1822, Rec. No. 392), entitled "An act to authorize the city of Binghamton to expend, for pav-

ing, certain moneys to be paid to said city by the Binghamton Railway Company," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Wainwright (No. 249, Rec. No. 604), entitled "An act making an appropriation for highway improvement in expediting the building of State route forty-one," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Walker gives notice that he requests that the Senate bill introduced by Mr. McClelland (No. 2044, Rec. No. 578), entitled "An act to amend section ten of the Stock Corporation Law, to enable provision for claims accrued in connection with the operation, maintenance or construction of any or all the property owned by or leased to a corporation prior to its reorganization," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Keys gives notice that he requests that the Senate bill introduced by Mr. Ormrod (No. 2215, Rec. No. 575), entitled "An act to amend the Highway Law, in relation to the course and description of State route number fifteen," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Martin gives notice that he requests that the Senate bill introduced by Mr. Gittins (No. 2178, Rec. No. 574), entitled "An act to amend the Penal Law, in relation to keeping gaming and betting establishments," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. J. S. Phillips gives notice that he requests that the Senate bill introduced by Mr. Thomas (No. 410, Rec. No. 598), entitled

"An act making an appropriation for highway improvement in expediting the construction of portions of State route number nine," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Frawley (No. 1883, Rec. No. 586), entitled "An act to amend the Insurance Law, by providing that fire insurance companies may not issue policies of fire insurance under any name other than their corporate titles," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Grady (No. 1869, Rec. No. 590), entitled "An act authorizing the preparation of an index of the Session Laws and statutes of the State of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Loomis (No. 2041, Rec. No. 487), entitled "An act to amend the Code of Civil Procedure, in relation to restoring the Board of Claims, with the powers and jurisdiction of the Court of Claims, and providing for the appointment of the members of such board," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Jackson gives notice that he requests that the Senate bill introduced by Mr. Loomis (No. 654, Rec. No. 129), entitled "An act to amend the Civil Service Law, in relation to power of municipal commissions to conduct investigations," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Haines gives notice that he requests that Assembly bill

(No. 1197, Int. No. 1032), entitled "An act to establish a normal and training school in the county of Westchester, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Evans gives notice that he requests that Assembly bill (No. 947, Int. No. 856), entitled "An act to amend the State Boards and Commissions Law, in relation to creating the Interstate Bridge Commission and defining its power and duties, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills:

"An act proposing amendments to article twelve of the Constitution, guaranteeing to cities and incorporated villages the right of municipal self-government and restricting the power of the Legislature to the enactment of general laws in reference thereto" (No. 203, Rec. No. 609), which was read the first time and referred to the committee on the judiciary.

"An act making provision for issuing bonds to the amount of not to exceed nineteen million six hundred thousand dollars for the purpose of furnishing proper terminals and facilities for barge canal traffic, including the acquisition and interchange of property therefor, with a view to improving and fostering the commerce of the State, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and eleven" (No. 2256, Rec. No. 610), which was read the first time and referred to the committee on ways and means.

"An act to authorize the Commissioners of the Sinking Fund of the city of New York to cede, grant and convey to the United State a site for the erection of a light and fog signal in Hunt's Point park, borough of the Bronx, New York city" (No. 2184, Rec. No. 611), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter one hundred and twenty-seven of the

Laws of nineteen hundred and eleven, entitled 'An act to provide for a supply of pure and wholesome water for the city of Mount Vernon, and for the acquisition of lands or interests therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters and other appurtenances for that purpose, and for the appointment of a commission with the powers and duties necessary and proper to attain these objects' (No. 2090, Rec. No. 612), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter six hundred and fifty-three of the Laws of nineteen hundred and six, entitled 'An act to extend the time of the Albany and Schoharie Valley Railroad Company to commence and complete the construction of its railroad,' in relation to the time of such extension" (No. 2134, Rec. No. 613), which was read the first time and referred to the committee on railroads.

"An act to amend the Education Law, in relation to the dissolution and liquidation of the affairs of incorporated educational institutions" (No. 2244, Rec. No. 614), which was read the first time and referred to the committee on public education.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Cronin (No. 2189, Rec. No. 607), entitled "An act to amend the Judiciary Law, in relation to the chief clerk and assistants for the County Court of Kings county."

Also, Senate bill introduced by Mr. Platt (No. 2210, Rec. No. 597), entitled "An act to legalize the official acts of certain justices of the peace and authorizing them to execute and file official bonds and official oaths and certificate."

Also, Senate bill introduced by Mr. Wainwright (No. 2197, Rec. No. 605), entitled "An act to authorize the issuance and sale of bonds of the city of Yonkers, in the principal sum of ninety thousand dollars, to cover the deficiency in the estimated revenues of the city for the years nineteen hundred to nineteen hundred and ten, inclusive."

Also, Senate bill introduced by Mr. McManus (No. 2238, Rec. No. 594), entitled "An act to authorize the reinstatement of David Heilferty as court attendant of the court of general sessions of the peace in the city and county of New York."

Also, Senate bill introduced by Mr. Frawley (No. 1651, Rec. No. 606), entitled "An act making an appropriation for the completion of the construction of the Senate Education building and for the equipment thereof."

Also, Senate bill introduced by Mr. Frawley (No. 1650, Rec. No. 584), entitled "An act making an appropriation for the necessary furniture for rooms and offices in the State Education building, including the State library and State museum."

Also, Senate bill introduced by Mr. Murtaugh (No. 2198, Rec. No. 580), entitled "An act to amend the Forest, Fish and Game Law, in relation to hunting hares and rabbits."

Also, Senate bill introduced by Mr. Frawley (No. 2060, Rec. No. 536), entitled "An act to reappropriate certain moneys for the general expense of the Naval Militia."

Also, Senate bill introduced by Mr. Frawley (No. 2048, Rec. No. 495), entitled "An act making an appropriation for highway improvement purposes."

Also, Senate bill introduced by Mr. Frawley (No. 2024, Rec. No. 494), entitled "An act to amend the State Finance Law, in relation to insuring publicity with respect to the demands upon the State, and to facilitate the legislative committees in dealing with questions of appropriation."

Also, Senate bill introduced by Mr. Frawley (No. 495, Rec. No. 53), entitled "An act to amend section two thousand four hundred and thirty-four of the Code of Civil Procedure, in relation to what judge may entertain proceedings supplementary to and in aid of execution."

Also, Senate bill introduced by Mr. White (No. 2149, Rec. No. 600), entitled "An act in relation to the conveyance of abandoned canal lands to and the use of by the city of Schenectady."

Also, Senate bill introduced by Mr. Bayne (No. 352, Rec. No. 329), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section seven of article one of the Constitution, in relation to condemnation proceedings."

Also, Senate bill introduced by Mr. White (No. 2150, Rec. No. 599), entitled "An act in relation to the conveyance of abandoned canal lands, situated in the towns of Rotterdam and

Niskayuna, to the city of Schenectady, and the use thereof by said city."

Also, Senate bill introduced by Mr. Sage (No. 1056, Rec. No. 510), entitled "An act making an appropriation for the purchase of an addition to the site of the State Normal College."

Also, Senate bill introduced by Mr. Ferris (No. 1390, Rec. No. 534), entitled "An act to amend the Penal Law, in relation to equipment and use of boats, barges, vessels and floating structures."

Also, Senate bill introduced by Mr. Loomis (No. 1078, Rec. No. 370), entitled "An act making an appropriation for the construction of new buildings for the Buffalo State Normal and Training School, as provided by chapter five hundred and twenty of the Laws of nineteen hundred and ten."

Also, Senate bill introduced by Mr. Hewitt (No. 1274, Rec. No. 364), entitled "An act to amend the Prison Law, in relation to compensation of certain officers."

Also, Senate bill introduced by Mr. Hinman (No. 1822, Rec. No. 392), entitled "An act to authorize the city of Binghamton to expend for paying certain moneys to be paid to said city by the Binghamton Railway Company."

Also, Senate bill introduced by Mr. Hamilton (No. 2148, Rec. No. 391), entitled "An act to amend the Highway Law, in relation to the course and description of State route number four."

Also, Senate bill introduced by Mr. McClelland (No. 2044, Rec. No. 578), entitled "An act to amend section ten of the Stock Corporation Law, to enable provision for claims accrued in connection with the operations, maintenance or construction of any or all the property owned by or leased to a corporation prior to its reorganization."

Also, Senate bill introduced by Mr. Wainwright (No. 2191, Rec. No. 604), entitled "An act making an appropriation for highway improvement in expediting the building of State route number forty-one."

Also, Senate bill introduced by Mr. Gittins (No. 2178, Rec. No. 574), entitled "An act to amend the Penal Law, in relation to keeping gaming and betting establishments."

Also, Senate bill introduced by Mr. Ormrod (No. 2215, Rec.

No. 595), entitled "An act to amend the Highway Law, in relation to the course and description of State route number fifteen."

Also, Senate bill introduced by Mr. Frawley (No. 1883, Rec. No. 586), entitled "An act to amend the Insurance Law, by providing that fire insurance companies may not issue policies of fire insurance under any name other than their corporate titles."

Also, Senate bill introduced by Mr. Thomas (No. 410, Rec. No. 598), entitled "An act making an appropriation for highway improvement in expediting the construction of portions of State route number nine."

Also, Senate bill introduced by Mr. Loomis (No. 2041, Rec. No. 487), entitled "An act to amend the Code of Civil Procedure, in relation to restoring the Board of Claims, with the powers and jurisdiction of the Court of Claims, and providing for the appointment of the members of such board."

Also, Senate bill introduced by Mr. Grady (No. 1869, Rec. No. 590), entitled "An act authorizing the preparation of an index of the Session Laws and statutes of the State of New York."

Also, Senate bill introduced by Mr. Loomis (No. 154, Rec. No. 129), entitled "An act to amend the Civil Service Law, in relation to power of municipal commissions to conduct investigations," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Evans (No. 947, Int. No. 856), entitled "An act to amend the State Boards and Commissions Law, in relation to creating the Interstate Bridge Commission and defining its powers and duties, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Haines (No. 1197, Int. No. 1032), entitled "An act to establish a normal and training school in the county of Westchester, and making an appropriation therefor," reported in favor of the passage of the same with-

out amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

“An act to amend the Forest, Fish and Game Law, in relation to the fee for issuing a hunting license.” (No. 2575, Int. No. 1774.)

“An act to amend the Education Law, in relation to the establishment of a State school of agriculture and domestic science and kindred subjects at Delhi, Delaware county, providing for its management and control, and making an appropriation therefor.” (No. 933, Int. No. 842.)

“An act to amend the Forest, Fish and Game Law, in relation to spearing, hooking and set lines.” (No. 2604, Int. No. 467.)

“An act to amend the Agricultural Law, in relation to the establishment of an agricultural experiment station in Niagara county.” (No. 294, Int. No. 293.)

“An act to amend the Election Law, in relation to nominations and primaries.” (No. 2598, Int. No. 1660.)

Mr. LaReau moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

| | | | | |
|--------------|----------|-------------|------------|------------|
| Adler | Day | Hearn | McDaniels | Shlivek |
| Allen | Donnelly | Herrick J J | McElligott | Smith A E |
| Baumes | Donovan | Herrick W R | McGrath | Smith T K |
| Beach | Drummond | Heyman | McKeon | Stivers |
| Blauvelt | Ebbetts | Higgins | Merritt | Sweet |
| Boylan | Egan | Hoey | Miller | Terry |
| Brace | Farrell | Hoff | Monczynski | Thorn |
| Brennan | Fay | Hollmann | Mork | Trombly |
| Brereton | Filley | Hoyt | Murray | Turley |
| Bridenbecker | Foley | Huber | Myers | Walker |
| Brooks | Friedman | Jackson | Neupert | Ward |
| Brown | Fry | Jones | Nolan | Waring |
| Bryant | Geatons | Kennedy | Oliver | Warren |
| Bush | Gerhardt | Keys | O'Neil M A | Waters F A |

| | | | | |
|-------------|----------|-----------|----------------|------------|
| Butler | Gerken | Kopp | Parker A | Waters R B |
| Carew | Gillen | Lansing | Patrie | Weil |
| Caughlan | Goodman | LaReau | Phillips C W | Wende |
| Chanler | Goodwin | Lent | Phillips J S | Wheeler |
| Cheney | Graubard | Levy A J | Saunders | Wilson |
| Coffey | Gray | Levy J | Schifferdecker | Winters |
| Collin | Gregg | Macdonald | Seeley | Yale |
| Colné | Hackett | MacGregor | Shannon | Yeomans |
| Constantine | Haines | Manley | Shea | Young |
| Cross | Hammond | Martin | Sheide | Zorn |
| Cuvillier | Hart | McCue | Shepardson | Speaker |
| Dawson | | | | |

Mr. LaReau moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. LaReau offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on rules be discharged from the further consideration of the Senate bill (No. 2175, Rec. No. 570), entitled "An act to provide a charter for the city of Buffalo."

Debate was had thereon.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

AYES 58

NOES 44

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-----------|------------|------------|
| Adler | Coffey | Hearn | Miller | Stivers |
| Allen | Collin | Higgins | Monczynski | Sweet |
| Baumes | Colné | Huber | Murray | Terry |
| Beach | Constantine | Jackson | Myers | Thorn |
| Brace | Dawson | Jameson | Neupert | Ward |
| Brereton | Day | Keys | Saunders | Waring |
| Bridenbecker | Drummond | Kopp | Seeley | Warren |
| Brooks | Evans | LaReau | Shepardson | Waters F A |
| Brown | Filley | Lent | Shlivek | Wende |
| Bush | Friedman | MacGregor | Shortt | Wheeler |
| Butler | Graubard | Martin | Smith T K | Wilson |
| Cheney | Hart | McDaniels | | |

Those who voted in the negative were:

| | | | | |
|-----------|----------|-------------|------------|----------------|
| Brennan | Fay | Hackett | Macdonald | Phillips J S |
| Carew | Foley | Haines | McElligott | Schifferdecker |
| Caughlan | Geatons | Herrick J J | McGrath | Shannon |
| Cuvillier | Gerhardt | Herrick W R | McKeon | Smith A E |
| Donnelly | Gerken | Heyman | Merritt | Turley |
| Donovan | Goldberg | Hoey | Mork | Walker |
| Ebbetts | Goodman | Hoff | O'Neil M A | Young |
| Egan | Goodwin | Levy A J | Parker A | Zorn |
| Farrell | Gregg | Levy J | Patrie | |

Mr. Coffey offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on rules be discharged from the further consideration of the Senate bill (No. 529, Rec. No. 480), entitled "An act to provide a new charter for the city of Mount Vernon."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

AYES 58

NOES 42

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-----------|------------|------------|
| Adler | Coffey | Hearn | Miller | Stivers |
| Allen | Collin | Higgins | Monczynski | Sweet |
| Baumes | Colné | Huber | Murray | Terry |
| Beach | Constantine | Jackson | Myers | Thorn |
| Brace | Dawson | Jameson | New rt | Ward |
| Brereton | Day | Keys | Saunders | Waring |
| Bridenbecker | Drummond | Kopp | Seeley | Warren |
| Brooks | Evans | LaReau | Shepardson | Waters F A |
| Brown | Fillev | Lent | Shlivek | Wende |
| Bush | Friedman | MacGregor | Shortt | Wheeler |
| Butler | Graubard | Martin | Smith T K | Wilson |
| Cheney | Hart | McDaniels | | |

Those who voted in the affirmative were: *

| | | | | |
|-----------|----------|-------------|------------|----------------|
| Brennan | Geatons | Herrick J J | McElligott | Phillips J S |
| Cuvillier | Gerhardt | Herrick W R | McGrath | Schifferdecker |
| Donnelly | Gerken | Heyman | McKeon | Shannon |
| Donovan | Goldberg | Hoey | Merritt | Smith A E |
| Ebbetts | Goodman | Hoff | Mork | Turley |
| Egan | Goodwin | Levy A J | O'Neil M A | Walker |
| Farrell | Gregg | Levy J | Parker A | Young |
| Fay | Hackett | Macdonald | Patrie | Zorn |
| Foley | Haines | | | |

Mr. Speaker announced the special order, being the bill (No. 947, Int. No. 856), entitled "An act to amend the State Boards and Commissions Law, in relation to creating the Interstate Bridge Commission and defining its powers and duties and making an appropriation therefor."

On motion of Mr. Evans, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-------------|
| Adler | Dawson | Herrick W R | McDaniels | Shortt |
| Allen | Day | Heyman | McElligott | Smith A E |
| Baumes | Donnelly | Higgins | McGrath | Smith T K |
| Beach | Donovan | Hinman | Merritt | Stivers |
| Blauvelt | Drummond | Hoey | Miller | Sweet |
| Boylan | Ebbetts | Hollmann | Monczynski | Terry |
| Brace | Egan | Hoyt | Mork | Thorn |
| Brennan | Farrell | Huber | Murray | Trombly |
| Brereton | Fay | Jackson | Myers | Turley |
| Bridenbecker | Filley | Jameson | Neupert | Walker |
| Brooks | Fitzpatrick | Jones | Nolan | Ward |
| Brown | Foley | Kennedy | Oliver | Waring |
| Bryant | Friedman | Keys | O'Neil M A | Warren |
| Bush | Geatons | Kopp | Patrie | Waters F A |
| Butler | Gerhardt | Lansing | Phillips C W | W. ters R B |
| Carew | Goodman | LaReau | Phillips J S | Weil |
| Caughlan | Goodwin | Lent | Saunders | Wende |
| Chanler | Graubard | Levy A J | Schifferdecker | Wheeler |
| Cheney | Gregg | Levy J | Seeley | Wilson |
| Coffey | Haines | Macdonald | Shannon | Winters |
| Collin | Hammond | MacGregor | Shea | Yale |
| Colné | Hart | Manley | Sheide | Yeomans |
| Constantine | Hearn | Martin | Shepardson | Young |
| Cosad | Herrick J J | McCue | Shlivek | Zorn |
| Cuvillier | | | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1197, Int. No. 1032), entitled "An act to establish a normal and training school in the county of Westchester and making an appropriation therefor."

On motion of Mr. Haines, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the af-

firmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Herrick W R | McDaniels | Shortt |
| Allen | Day | Heyman | McElligott | Smith A E |
| Baumes | Donnelly | Higgins | McGrath | Smith T K |
| Beach | Donovan | Hinman | Merritt | Stivers |
| Blauvelt | Drummond | Hoey | Miller | Sweet |
| Boylan | Ebbetts | Hollmann | Monczynski | Terry |
| Brace | Egan | Hoyt | Mork | Thorn |
| Brennan | Farrell | Huber | Murray | Trombly |
| Brereton | Fay | Jackson | Myers | Turley |
| Bridenbecker | Filley | Jameson | Neupert | Walker |
| Brooks | Fitzpatrick | Jones | Nolan | Ward |
| Brown | Foley | Kennedy | Oliver | Waring |
| Bryant | Friedman | Keys | O'Neil M A | Warren |
| Bush | Geatons | Kopp | Patrie | Waters F A |
| Butler | Gerhardt | Lansing | Phillips C W | Waters R B |
| Carew | Goodman | LaReau | Phillips J S | Weil |
| Caughlan | Goodwin | Lent | Saunders | Wende |
| Chanler | Graubard | Levy A J | Schifferdecker | Wheeler |
| Cheney | Gregg | Levy J | Seeley | Wilson |
| Coffey | Haines | Macdonald | Shannon | Winters |
| Collin | Hammond | MacGregor | Shea | Yale |
| Colné | Hart | Manley | Sheide | Yeomans |
| Constantine | Hearn | Martin | Shepardson | Young |
| Cosad | Herrick J J | McCue | Shlivek | Zorn |
| Cuvillier | | | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 2189, Rec. No. 607), entitled "An act to amend the Judiciary Law, in relation to the chief clerk and assistants for the County Court of Kings county."

Said bill having been announced,

Mr. Merritt moved to recommit said bill to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 54

NOES 50

Those who voted in the affirmative were:

| | | | | |
|----------|-------------|-------------|------------|----------------|
| Boylan | Farrell | Herrick J J | Martin | Patrie |
| Brace | Fay | Herrick W R | McCue | Schifferdecker |
| Bush | Fitzpatrick | Heyman | McElligott | Seeley |
| Carew | Foley | Huber | McGrath | Sheide |
| Chanler | Geatons | Jackson | McKeon | Smith A E |
| Cuvilier | Gerhardt | Jameson | Monczynski | Trombly |
| Dawson | Gerken | Kennedy | Mork | Turley |
| Donnelly | Gould | LaReau | Myers | Warren |
| Donovan | Gregg | Levy A J | Neupert | Weil |
| Egan | Hackett | Levy J | Oliver | Zorn |
| Evans | Hearn | Manley | Parker A | |

Those who voted in the negative were:

| | | | | |
|--------------|-------------|-----------|--------------|------------|
| Adler | Butler | Hammond | Merritt | Smith T K |
| Allen | Ch'ney | Hart | Miller | Stivers |
| Baumes | Collin | Higgins | Murray | Terry |
| Beach | Colné | Hoff | Nolan | Thorn |
| Brennan | Constantine | Hoyt | Phillips J S | Ward |
| Brereton | Drummond | Jones | Saunders | Waters R B |
| Bridenbecker | Filley | Kopp | Shannon | Wilson |
| Brooks | Friedman | Lansing | Shepardson | Yale |
| Brown | Goodman | Lent | Shlivek | Yeomans |
| Bryant | Gray | Macdonald | Shortt | Young |

Mr. Donnelly moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 2210, Int. No. 597), entitled "An act to legalize the official acts of certain justices of the peace and authorizing them to execute and file official bonds and official oaths and certificate."

On motion of Mr. Shannon, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hart | McCue | Shortt |
| Allen | Donnelly | Hearn | McDaniels | Smith A E |
| Baumes | Donovan | Herrick J J | McElligott | Smith T K |
| Beach | Drummond | Herrick W R | McGrath | Stivers |
| Blauvelt | Ebbetts | Heyman | McKeon | Sweet |
| Boylan | Egan | Higgins | Merritt | Talmage |
| Brace | Evans | Hinman | Miller | Terry |
| Brennan | Farrell | Hoey | Monczynski | Thorn |
| Brereton | Fay | Hollmann | Mork | Trombly |
| Bridenbecker | Fillee | Hoyt | Murray | Turley |
| Brooks | Fitzpatrick | Huber | Myers | Walker |
| Brown | Foley | Jackson | Neupert | Ward |
| Bryant | Friedman | Jameson | Nolan | Waring |
| Bush | Geatons | Jones | Oliver | Warren |
| Butler | Gerhardt | Kennedy | O'Neil M A | Waters F A |
| Carew | Gerken | Keys | Patrie | Waters R B |
| Caughlan | Gillen | Kopp | Phillips C W | Weil |
| Chanler | Goodman | Lanning | Phillips J S | Wende |
| Cheney | Goodwin | LaReau | Saunders | Wheeler |
| Coffey | Graubard | Lent | Schifferdecker | Wilson |
| Collin | Gray | Levy A J | Seeley | Winters |
| Colné | Gregg | Levy J | Shannon | Yale |
| Constantine | Gurnett | Macdonald | Shea | Ycomans |
| Cross | Hackett | MacGregor | Sheide | Young |
| Cuvillier | Haines | Manley | Shepardson | Zorn |
| Dawson | Hammond | Martin | Shivek | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2197, Rec. No. 605), entitled "An act to authorize the issuance and sale of bonds of the city of Yonkers in the principal sum of ninety thousand dollars, to cover the deficiency in the estimated revenues of the city for the years nineteen hundred to nineteen hundred and ten, inclusive."

On motion of Mr. Haines, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Herrick W R | McDaniels | Shortt |
| Allen | Day | Heyman | McElligott | Smith A E |
| Baumes | Donnelly | Higgins | McGrath | Smith T K |
| Beach | Donovan | Hinman | Merritt | Stivers |
| Blauvelt | Drummond | Hoey | Miller | Sweet |
| Boylan | Ebbetts | Hollmann | Monczynski | Terry |
| Brace | Egan | Hoyt | Mork | Thorn |
| Brennan | Farrell | Huber | Murray | Trombly |
| Brereton | Fay | Jackson | Myers | Turley |
| Bridenbecker | Filley | Jameson | Neupert | Walker |
| Brooks | Fitzpatrick | Jones | Nolan | Ward |
| Brown | Foley | Kennedy | Oliver | Waring |
| Bryant | Friedman | Keys | O'Neil M A | Warren |
| Bush | Geatons | Kopp | Patrie | Waters F A |
| Butler | Gerhardt | Lansing | Phillips C W | Waters R B |
| Carew | Goodman | LaReau | Phillips J S | Weil |
| Caughlan | Goodwin | Lent | Saunders | Wende |
| Chanler | Graubard | Levy A J | Schifferdecker | Wheeler |
| Cheney | Gregg | Levy J | Seeley | Wilson |
| Coffey | Haines | Macdonald | Shannon | Winters |
| Collin | Hammond | MacGregor | Shea | Yale |
| Colné | Hart | Manley | Sheide | Yeomans |
| Constantine | Hearn | Martin | Shepardson | Young |
| Cosad | Herrick J J | McCue | Shlivek | Zorn |
| Cuvillier | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2238, Rec. No. 594), entitled "An act to authorize the reinstatement of David Heilferty as court attendant of the court of general sessions of the peace in the city and county of New York."

On motion of Mr. Hoey, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hart | McCue | Shortt |
| Allen | Donnelly | Hearn | McDaniels | Smith A E |
| Baumes | Donovan | Herrick J J | McElligott | Smith T K |
| Beach | Drummond | Herrick W R | McGrath | Stivers |
| Blauvelt | Ebbetts | Heyman | McKeon | Sweet |
| Boylan | Egan | Higgins | Merritt | Talmage |
| Brace | Evans | Hinman | Miller | Terry |
| Brennan | Farrell | Hoey | Monczynski | Thorn |
| Brereton | Fay | Hollmann | Mork | Trombly |
| Bridenbecker | Filley | Hoyt | Myers | Turley |
| Brooks | Fitzpatrick | Huber | Neupert | Walker |
| Brown | Foley | Jackson | Nolan | Ward |
| Bryant | Friedman | Jameson | Oliver | Waring |
| Bush | Geatons | Jones | O'Neil M A | Warren |
| Butler | Gerhardt | Kennedy | Patrie | Waters F A |
| Carew | Gerken | Keys | Phillips C W | Waters R B |
| Caughlan | Gillen | Kopp | Phillips J S | Weil |
| Chanler | Goodman | Lansing | Saunders | Wende |
| Cheney | Goodwin | LaReau | Schifferdecker | Wheeler |
| Coffey | Graubard | Lent | Seeley | Wilson |
| Collin | Gray | Levy A J | Shannon | Winters |
| Colné | Gregg | Levy J | Shea | Yale |
| Constantine | Gurnett | Macdonald | Sheide | Yeomans |
| Cross | Hackett | MacGregor | Shepardson | Young |
| Cuvillier | Haines | Marley | Shlivek | Zorn |
| Dawson | Hammond | Martin | | |

In the negative:

Murray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1651, Rec. No. 606), entitled "An act making an appropriation for the completion of the construction of the State Education building and for the equipment thereof."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Hearn | McElligott | Shlivek |
| Allen | Donovan | Herrick J J | McGrath | Shortt |
| Baumes | Drummond | Herrick W R | McKeon | Smith A E |
| Beach | Ebbetts | Heyman | Merritt | Smith T K |
| Blauvelt | Egan | Higgins | Miller | Stivers |
| Boylan | Evans | Hinman | Monezynski | Sweet |
| Brace | Farrell | Hoey | Mork | Terry |
| Brennan | Fay | Hollmann | Murray | Thorn |
| Brereton | Filley | Hoyt | Myers | Trombly |
| Bridenbecker | Fitzpatrick | Huber | Neupert | Turley |
| Brooks | Foley | Jackson | Nolan | Walker |
| Brown | Friedman | Jameson | Oliver | Ward |
| Bryant | Geatons | Jones | O'Neill J J | Waring |
| Bush | Gerhardt | Kennedy | O'Neil M A | Warren |
| Butler | Gerken | Keys | Parker J S | Washburn |
| Carew | Gillen | Kopp | Patric | Waters F A |
| Caughlan | Goodman | Lansing | Phillips C W | Waters R B |
| Chanler | Goodwin | LaReau | Phillips J S | Weil |
| Cheney | Gould | Lent | Pierce | Wende |
| Coffey | Graubard | Levy A J | Saunders | Wheeler |
| Collin | Gray | Levy J | Schifferdecker | Wilson |
| Colné | Gregg | Macdonald | Seeley | Winters |
| Constantine | Gurnett | MacGregor | Shannon | Yale |
| Cross | Hackett | Manley | Shea | Yeomans |
| Cuvillier | Haines | Martin | Sheide | Young |
| Dawson | Hammond | McCue | Shepardson | Zorn |
| Day, | Hart | McDaniels | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 650, Rec. No. 584), entitled "An act making an appropriation for the necessary furniture for rooms and offices in the State Education building, including the State library and State museum."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 2

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hart | McCue | Shlivek |
| Allen | Donnelly | Hearn | McDaniels | Shortt |
| Baumes | Donovan | Herrick J J | McElligott | Smith A E |
| Beach | Drummond | Herrick W R | McGrath | Smith T K |
| Blauvelt | Ebbetts | Heyman | McKeon | Stivers |
| Boylan | Egan | Higgins | Merritt | Sweet |
| Brace | Evans | Hinman | Miller | Talmage |
| Brennan | Farrell | Hoey | Monczynski | Terry |
| Bereton | Fay | Hollmann | Mork | Thorn |
| Bridenbecker | Filley | Hoyt | Myers | Trombly |
| Brooks | Fitzpatrick | Huber | Neupert | Turley |
| Brown | Foley | Jackson | Nolan | Walker |
| Bryant | Friedman | Jameson | Oliver | Waring |
| Bush | Geatons | Jones | O'Neil M A | Warren |
| Butler | Gerhardt | Kennedy | Patrie | Waters F A |
| Carew | Gerken | Keys | Phillips C W | Waters R B |
| Caughlan | Gillen | Kopp | Phillips J S | Weil |
| Chanler | Goodman | Lansing | Pierce | Wende |
| Cheney | Goodwin | LaReau | Saunders | Wheeler |
| Coffey | Graubard | Lent | Schifferdecker | Wilson |
| Collin | Gray | Levy A J | Seeley | Winters |
| Colne | Gregg | Levy J | Shannon | Yale |
| Constantine | Gurnett | Macdonald | Shea | Yeomans |
| Cross | Hackett | MacGregor | Sheide | Young |
| Cuvillier | Haines | Manley | Shepardson | Zorn |
| Dawson | Hammond | Martin | | |

Those who voted in the negative were:

Murray Ward

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2198, Rec. No. 580), entitled "An act to amend the Forest, Fish and Game Law, in relation to hunting hares and rabbits."

On motion of Mr. Gurnett, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| A dler | Day | Hart | McCue | Shlivek |
| Allen | Donnelly | Hearn | McDaniels | Shortt |
| Baumes | Donovan | Herrick J J | McElligott | Smith A E |
| Beach | Drummond | Herrick W R | McGrath | Smith T K |
| Blauvelt | Ebbetts | Heyman | McKeon | Stivers |
| Boylan | Egan | Higgins | Merritt | Sweet |
| Brace | Evans | Hinman | Miller | Talmage |
| Brennan | Farrell | Hoey | Monczynski | Terry |
| Brereton | Fay | Hollmann | Mork | Thorn |
| Bridenbecker | Filley | Hoyt | Murray | Trombly |
| Brooks | Fitzpatrick | Huber | Myers | Turley |
| Brown | Foley | Jackson | Neupert | Walker |
| Bryant | Friedman | Jameson | Nolan | Ward |
| Bush | Geatons | Jones | Oliver | Waring |
| Butler | Gerhardt | Kennedy | O'Neill J J | Warren |
| Carew | Gerken | Keys | O'Neil M A | Waters F A |
| Caughlan | Gillen | Kopp | Patrie | Waters R B |
| Chanler | Goodman | Lansing | Phillips C W | Weil |
| Cheney | Goodwin | LaReau | Phillips J S | Wende |
| Coffey | Graubard | Lent | Saunders | Wheeler |
| Collin | Gray | Levy A J | Schifferdecker | Wilson |
| Colné | Gregg | Levy J | Seeley | Winters |
| Constantine | Gurnett | Macdonald | Shannon | Yale |
| Cross | Hackett | MacGregor | Shea | Yeomans |
| Cuvillier | Haines | Manley | Sheide | Young |
| Dawson | Hammond | Martin | Shepardson | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2060, Rec. No. 536), entitled "An act to reappropriate certain moneys for the general expense of the Naval Militia."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hart | McCue | Shortt |
| Allen | Donnelly | Hearn | McDaniels | Smith A E |
| Baumes | Donovan | Herrick J J | McElligott | Smith T K |
| Beach | Drummond | Herrick W R | McGrath | Stivers |
| Blauvelt | Ebbetts | Heyman | McKeon | Sweet |
| Boylan | Egan | Higgins | Merritt | Talmage |
| Brace | Evans | Hinman | Miller | Terry |
| Brennan | Farrell | Hoey | Monczynski | Thorn |
| Brereton | Fay | Hollmann | Mork | Trombly |
| Bridenbecker | Filley | Hoyt | Murray | Turley |
| Brooks | Fitzpatrick | Huber | Myers | Walker |
| Brown | Foley | Jackson | Neupert | Ward |
| Bryant | Friedman | Jameson | Nolan | Waring |
| Bush | Geatons | Jones | Oliver | Warren |
| Butler | Gerhardt | Kennedy | O'Neil M A | Waters F A |
| Carew | Gerken | Keys | Patrie | Waters R B |
| Caughlan | Gillen | Kopp | Phillips C W | Weil |
| Chanler | Goodman | Lansing | Phillips J S | Wende |
| Cheney | Goodwin | LaReau | Saunders | Wheeler |
| Coffey | Graubard | Lent | Schifferdecker | Wilson |
| Collin | Gray | Levy A J | Seely | Winters |
| Colné | Gregg | Levy J | Shannon | Yale |
| Constantine | Gurnett | Macdonald | Shea | Yeomans |
| Cross | Hackett | MacGregor | Sheide | Young |
| Cuvillier | Haines | Manley | Shepardson | Zorn |
| Dawson | Hammond | Martin | Shlivek | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2048, Rec. No. 495), entitled "An act making an appropriation for highway improvement purposes."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 2

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Allen | Donnelly | Hearn | McDaniels | Shortt |
| Baumes | Donovan | Herrick J J | McElligott | Smith A E |
| Beach | Drummond | Herrick W R | McGrath | Smith T K |
| Blauvelt | Ebbetts | Heyman | McKeon | Stivers |
| Boylan | Egan | Higgins | Merritt | Sweet |
| Brace | Evans | Hinman | Miller | Talmage |
| Brennan | Farrell | Hoey | Monczynski | Terry |
| Brereton | Fay | Hollmann | Mork | Thorn |
| Bridenbecker | Filley | Hoyt | Myers | Trombly |
| Brooks | Fitzpatrick | Huber | Neupert | Turley |
| Brown | Foley | Jackson | Nolan | Walker |
| Bryant | Friedman | Jameson | Oliver | Ward |
| Bush | Geatons | Jones | O'Neill J J | Waring |
| Butler | Gerhardt | Kennedy | O'Neil M A | Warren |
| Carew | Gerken | Keys | Patrie | Waters F A |
| Caughlan | Gillen | Kopp | Phillips C W | Waters R B |
| Chanler | Goodman | Lansing | Phillips J S | Weil |
| Cheney | Goodwin | LaReau | Saunders | Wende |
| Coffey | Graubard | Lent | Schifferdecker | Wheeler |
| Collin | Gray | Levy A J | Seeley | Wilson |
| Colné | Gregg | Levy J | Shannon | Winters |
| Constantine | Gurnett | Macdonald | Shea | Yale |
| Cross | Hackett | MacGregor | Sheide | Yeomans |
| Cuvillier | Haines | Manley | Shepardson | Young |
| Dawson | Hammond | Martin | Shlivek | Zorn |
| Day | Hart | McCue | | |

Those who voted in the negative were:

Adler Murray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2024, Rec. No. 404), entitled "An act to amend the State Finance Law, in relation to insuring publicity with respect to the demands upon the State, and to facilitate the legislative committees in dealing with questions of appropriation."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hart | McCue | Shlivek |
| Allen | Donnelly | Hearn | McDaniels | Shortt |
| Baumes | Donovan | Herrick J J | McElligott | Smith A E |
| Beach | Drummond | Herrick W R | McGrath | Smith T K |
| Blauvelt | Ebbetts | Heyman | McKeon | Stivers |
| Boylan | Egan | Higgins | Merritt | Sweet |
| Brace | Evans | Hinman | Miller | Talmage |
| Brennan | Farrell | Hoey | Monczynski | Terry |
| Brereton | Fay | Hollmann | Mork | Thorn |
| Bridenbecker | Filley | Hoyt | Murray | Trombly |
| Brooks | Fitzpatrick | Huber | Myers | Turley |
| Brown | Foley | Jackson | Neupert | Walker |
| Bryant | Friedman | Jameson | Nolan | Ward |
| Bush | Geatons | Jones | Oliver | Waring |
| Butler | Gerhardt | Kennedy | O'Neill J J | Warren |
| Carew | Gerken | Keys | O'Neil M A | Waters F A |
| Caughlan | Gillen | Kopp | Patrie | Waters R B |
| Chanler | Goodman | Lansing | Phillips C W | Weil |
| Cheney | Goodwin | LaReau | Phillips J S | Wende |
| Coffey | Graubard | Lent | Saunders | Wheeler |
| Collin | Gray | Levy A J | Schifferdecker | Wilson |
| Colné | Gregg | Levy J | Seeley | Winters |
| Constantine | Gurnett | Macdonald | Shannon | Yale |
| Cross | Hackett | MacGregor | Shea | Yeomans |
| Cuvillier | Haines | Manley | Sheide | Young |
| Dawson | Hammond | Martin | Shepardson | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 495, Rec. No. 53), entitled "An act to amend section two thousand four hundred and thirty-four of the Code of Civil Procedure, in relation to what judge may entertain proceedings supplementary to and in aid of execution."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hart | McCue | Shortt |
| Allen | Donnelly | Hearn | McDaniels | Smith A E |
| Baumes | Donovan | Herrick J J | McElligott | Smith T K |
| Beach | Drummond | Herrick W R | McGrath | Stivers |
| Blauvelt | Ebbetts | Heyman | McKeon | Sweet |
| Boylan | Egan | Higgins | Merritt | Talmage |
| Brace | Evans | Hinman | Miller | Terry |
| Brennan | Farrell | Hoey | Monczynski | Thorn |
| Brereton | Fay | Hollmann | Mork | Trombly |
| Bridenbecker | Filley | Hoyt | Murray | Turley |
| Brooks | Fitzpatrick | Huber | Myers | Walker |
| Brown | Foley | Jackson | Neupert | Ward |
| Bryant | Friedman | Jameson | Nolan | Waring |
| Bush | Geatons | Jones | Oliver | Warren |
| Butler | Gerhardt | Kennedy | O'Neil M A | Waters F A |
| Carew | Gerken | Keys | Patrie | Waters R B |
| Caughlan | Gillen | Kopp | Phillips C W | Weil |
| Chanler | Goodman | Lansing | Phillips J S | Wende |
| Cheney | Goodwin | LaReau | Saunders | Wheeler |
| Coffey | Graubard | Lent | Schifferdecker | Wilson |
| Collin | Gray | Levy A J | Seeley | Winters |
| Colné | Gregg | Levy J | Shannon | Yale |
| Constantine | Gurnett | Macdonald | Shea | Yeomans |
| Cross | Hackett | MacGregor | Sheide | Young |
| Cuvillier | Haines | Manley | Shepardson | Zorn |
| Dawson | Hammond | Martin | Shlivek | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2149, Rec. No. 600), entitled "An act in relation to the conveyance of abandoned canal lands to and the use of by the city of Schenectady."

On motion of Mr. Myers, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Adler | Dawson | Heyman | McGrath | Smith A E |
| Allen | Day | Higgins | McKeon | Smith T K |
| Baumes | Donnelly | Hinman | Merritt | Stivers |
| Beach | Donovan | Hoey | Miller | Sweet |
| Blauvelt | Drummond | Hollmann | Monczynski | Talmage |
| Boylan | Ebbetts | Hoyt | Mork | Terry |
| Brace | Egan | Huber | Murray | Thorn |
| Brennan | Farrell | Jackson | Myers | Trombly |
| Brereton | Fay | Jameson | Neupert | Turley |
| Bridenbecker | Filley | Jones | Nolan | Walker |
| Brooks | Fitzpatrick | Kennedy | Oliver | Ward |
| Brown | Foley | Keys | O'Neil M A | Waring |
| Bryant | Friedman | Kopp | Patrie | Warren |
| Bush | Geatons | Lansing | Phillips C W | Waters F A |
| Butler | Gerhardt | LaReau | Phillips J S | Waters R B |
| Carew | Goodman | Lent | Saunders | Weil |
| Caughlan | Goodwin | Levy A J | Schifferdecker | Wende |
| Chanler | Graubard | Levy J | Seeley | Wheeler |
| Cheney | Gregg | Macdonald | Shannon | Wilson |
| Coffey | Haines | MacGregor | Shea | Winters |
| Collin | Hammond | Manley | Sheide | Yale |
| Colné | Hart | Martin | Shepardson | Yeomans |
| Constantine | Hearn | McCue | Shlivek | Young |
| Cross | Herrick J J | McDaniels | Shortt | Zorn |
| Cuvillier | Herrick W R | McElligott | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 352, Rec. No. 329), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section seven of article one of the Constitution, in relation to condemnation proceedings."

On motion of Mr. Ward, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 52

NOES 44

Those who voted in the affirmative were:

| | | | | |
|-------------|-------------|-----------|--------------|------------|
| Adler | Cross | Hinman | Martin | Thorn |
| Allen | Ebbetts | Hoff | McDaniels | Walker |
| Blauvelt | Evans | Hoyt | Miller | Ward |
| Brace | Filley | Huber | Mork | Warren |
| Brooks | Foley | Jackson | Murray | Waters R B |
| Brown | Goodman | Kennedy | Parker A | Wende |
| Butler | Gray | Kopp | Phillips J S | Wheeler |
| Carew | Gregg | LaReau | Seeley | Winters |
| Cheney | Gurnett | Lent | Shlivek | Yeomans |
| Colzé | Herrick W R | MacGregor | Smith A E | Young |
| Constantine | Higgins | | | |

Those who voted in the negative were:

| | | | | |
|--------------|----------|-------------|------------|----------------|
| Beach | Donnelly | Graubard | Levy A J | Nolan |
| Boylan | Drummond | Hackett | Levy J | Oliver |
| Brennan | Egan | Haines | McCue | O'Neil M A |
| Bridenbecker | Farrell | Hammond | McElligott | Patrie |
| Bush | Fay | Herrick J J | McKeon | Saunders |
| Chanler | Gerhardt | Heyman | Merritt | Schifferdecker |
| Collin | Gerken | Hoey | Monczynski | Weil |
| Cuvillier | Goodwin | Jameson | Myers | Yale |
| Day | Gould | Jones | Neupert | |

Mr. Ward moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 2150, Rec. No. 599), entitled "An act in relation to the conveyance of abandoned canal lands, situated in the towns of Rotterdam and Niskayuna, to the city of Schenectady, and the use thereof by said city."

On motion of Mr. Myers, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hart | McCue | Shortt |
| Allen | Donnelly | Hearn | McDaniels | Smith A E |
| Baumes | Donovan | Herrick J J | McElligott | Smith T K |
| Beach | Drummond | Herrick W R | McGrath | Stivers |
| Blauvelt | Ebbetts | Heyman | McKeon | Sweet |
| Boylan | Egan | Higgins | Merritt | Talmage |
| Brace | Evans | Hinman | Miller | Terry |
| Brennan | Farrell | Hoey | Monezynski | Thorn |
| Brereton | Fay | Hollmann | Mork | Trombly |
| Bridenbecker | Filley | Hoyt | Myers | Turley |
| Brooks | Fitzpatrick | Huber | Neupert | Walker |
| Brown | Foley | Jackson | Nolan | Ward |
| Bryant | Friedman | Jameson | Oliver | Waring |
| Bush | Geatons | Jones | O'Neil M A | Warren |
| Butler | Gerhardt | Kennedy | Patrie | Waters F A |
| Carew | Gerken | Keys | Phillips C W | Waters R B |
| Caughlan | Gillen | Kopp | Phillips J S | Weil |
| Chanler | Goodman | Lansing | Saunders | Wende |
| Cheney | Goodwin | LaReau | Schifferdecker | Wheeler |
| Coffey | Gould | Lent | Seeley | Wilson |
| Collin | Graubard | Levy A J | Shannon | Winters |
| Colné | Gregg | Levy J | Shea | Yale |
| Constantine | Gurnett | Macdonald | Sheide | Yeomans |
| Cross | Hackett | MacGregor | Shepardson | Young |
| Cuvillier | Haines | Manley | Shlivek | Zorn |
| Dawson | Hammond | Martin | | |

In the negative:

Murray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1056, Rec. No. 510), entitled "An act making an appropriation for the purchase of an addition to the site of the State Normal College."

On motion of Mr. R. B. Waters, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hart | McCue | Shortt |
| Allen | Donnelly | Hearn | McDaniels | Smith A E |
| Baumes | Donovan | Herrick J J | McElligott | Smith T K |
| Beach | Drummond | Herrick W R | McGrath | Stivers |
| Blauvelt | Ebbetts | Heyman | McKeon | Sweet |
| Boylan | Egan | Higgins | Merritt | Talmage |
| Brace | Evans | Hinman | Miller | Terry |
| Brennan | Farrell | Hoey | Monczynski | Thorn |
| Brereton | Fay | Hollmann | Mork | Trombly |
| Bridenbecker | Filley | Hoyt | Murray | Turley |
| Brooks | Fitzpatrick | Huber | Myers | Walker |
| Brown | Foley | Jackson | Neupert | Ward |
| Bryant | Friedman | Jameson | Nolan | Waring |
| Bush | Geatons | Jones | Oliver | Warren |
| Butler | Gerhardt | Kennedy | O'Neil M A | Waters F A |
| Carew | Gerken | Keys | Patrie | Waters R B |
| Caughlan | Gillen | Kopp | Phillips C W | Weil |
| Chanler | Goodman | Lansing | Phillips J S | Wende |
| Cheney | Goodwin | LaReau | Saunders | Wheeler |
| Coffey | Graubard | Lent | Schifferdecker | Wilson |
| Collin | Gray | Levy A J | Seeley | Winters |
| Colné | Gregg | Levy J | Shannon | Yale |
| Constantine | Gurnett | Macdonald | Shea | Yeomans |
| Cross | Hackett | MacGregor | Sheide | Young |
| Cuvillier | Haines | Manley | Shepardson | Zorn |
| Dawson | Hammond | Martin | Shlivek | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1390, Rec. No. 534), entitled "An act to amend the Penal Law, in relation to equipment of boats, barges, vessels and floating structures."

On motion of Mr. J. S. Phillips, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hearn | McDaniels | Shortt |
| Allen | Donnelly | Herrick J J | McElligott | Smith A E |
| Baumes | Donovan | Herrick W R | McGrath | Smith T K |
| Beach | Drummond | Heyman | McKeon | Stivers |
| Blauvelt | Ebbetts | Higgins | Merritt | Sweet |
| Boylan | Egan | Hinman | Miller | Talmage |
| Brace | Evans | Hoe | Monczynski | Terry |
| Brennan | Farrell | Hollmann | Mork | Thorn |
| Brereton | Fay | Hoyt | Murray | Trombly |
| Bridenbecker | Filley | Huber | Myers | Turley |
| Brooks | Fitzpatrick | Jackson | Neupert | Walker |
| Brown | Foley | Jameson | Nolan | Ward |
| Bryant | Friedman | Jones | Oliver | Waring |
| Bush | Geatons | Kennedy | O'Neil M A | Warren |
| Butler | Gerhardt | Keys | Patrie | Waters F A |
| Carew | Gerken | Kopp | Phillips C W | Waters R B |
| Caughlan | Gillen | Lansing | Phillips J S | Weil |
| Chanler | Goodman | LaReau | Saunders | Wende |
| Cheney | Goodwin | Lent | Schifferdecker | Wheeler |
| Coffey | Graubard | Levy A J | Sceley | Wilson |
| Collin | Gray | Levy J | Shannon | Winters |
| Colné | Gregg | Macdonald | Shea | Yale |
| Constantine | Hackett | MacGregor | Sheide | Yeomans |
| Cross | Haines | Manley | Shepardson | Young |
| Cuvillier | Hammond | Martin | Shlivek | Zorn |
| Dawson | Hart | McCue | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1078, Rec. No. 370), entitled "An act making an appropriation for the construction of new buildings for the Buffalo State Normal and Training School, as provided by chapter five hundred and twenty of the Laws of nineteen hundred and ten."

On motion of Mr. Jackson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hart | McCue | Shlivek |
| Allen | Donnelly | Hearn | McDaniels | Shortt |
| Baumes | Donovan | Herrick J J | McElligott | Smith A E |
| Beach | Drummond | Herrick W R | McGrath | Smith T K |
| Blauvelt | Ebbetts | Heyman | McKeon | Stivers |
| Boylan | Egan | Higgins | Merritt | Sweet |
| Brace | Evans | Hinman | Miller | Talmage |
| Brennan | Farrell | Hoey | Monczynski | Terry |
| Brereton | Fay | Hollmann | Mork | Thorn |
| Bridenbecker | Filley | Hoyt | Murray | Trombly |
| Brooks | Fitzpatrick | Huber | Myers | Turley |
| Brown | Foley | Jackson | Neupert | Walker |
| Bryant | Friedman | Jameson | Nolan | Ward |
| Bush | Geatons | Jones | Oliver | Waring |
| Butler | Gerhardt | Kennedy | O'Neill J J | Warren |
| Carew | Gerken | Keys | O'Neil M A | Waters F A |
| Caughlan | Gillen | Kopp | Patrie | Waters R B |
| Chanler | Goodman | Lansing | Phillips C W | Weil |
| Cheney | Goodwin | LaReau | Phillips J S | Wende |
| Coffey | Graubard | Lent | Saunders | Wheeler |
| Collin | Gray | Levy A J | Schifferdecker | Wilson |
| Colné | Gregg | Levy J | Seeley | Winters |
| Constantine | Gurnett | Macdonald | Shannon | Yale |
| Cross | Hackett | MacGregor | Shea | Yeomans |
| Cuvillier | Haines | Manley | Sheide | Young |
| Dawson | Hammond | Martin | Shepardson | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1274, Rec. No. 364), entitled "An act to amend the Prison Law, in relation to compensation of certain officers."

On motion of Mr. Drummond, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hart | McCue | Shortt |
| Allen | Donnelly | Hearn | McDaniels | Smith A E |
| Baumes | Donovan | Herrick J J | McElligott | Smith T K |
| Beach | Drummond | Herrick W R | McGrath | Stivers |
| Blauvelt | Ebbetts | Heyman | McKeon | Sweet |
| Boylan | Egan | Higgins | Merritt | Talmage |
| Brace | Evans | Hinman | Miller | Terry |
| Brennan | Farrell | Hoey | Monczynski | Thorn |
| Brereton | Fay | Hollmann | Mork | Trombly |
| Bridenbecker | Filley | Hoyt | Murray | Turley |
| Brooks | Fitzpatrick | Huber | Myers | Walker |
| Brown | Foley | Jackson | Neupert | Ward |
| Bryant | Friedman | Jameson | Nolan | Waring |
| Bush | Geatons | Jones | Oliver | Warren |
| Butler | Gerhardt | Kennedy | O'Neil M A | Waters F A |
| Carew | Gerken | Keys | Patrie | Waters R B |
| Caughlan | Gillen | Kopp | Phillips C W | Weil |
| Chanler | Goodman | Lansing | Phillips J S | Wende |
| Cheney | Goodwin | LaReau | Saunders | Wheeler |
| Coffey | Graubard | Lent | Schifferdecker | Wilson |
| Collin | Gray | Levy A J | Seeley | Winters |
| Colné | Gregg | Levy J | Shannon | Yale |
| Constantine | Gurnett | Macdonald | Shea | Yeomans |
| Cross | Hackett | MacGregor | Sheide | Young |
| Cuvillier | Haines | Manley | Shepardson | Zorn |
| Dawson | Hammond | Martin | Shlivek | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1822, Rec. No. 592), entitled "An act to authorize the city of Binghamton to expend, for paving, certain moneys to be paid to said city by the Binghamton Railway Company."

On motion of Mr. Butler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 60

Those who voted in the affirmative were :

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hart | McCue | Shortt |
| Allen | Donnelly | Hearn | McDaniels | Smith A E |
| Baumes | Donovan | Herrick J J | McElligott | Smith T K |
| Beach | Drummond | Herrick W R | McGrath | Stivers |
| Blauvelt | Ebbetts | Heyman | McKeon | Sweet |
| Boylan | Egan | Higgins | Merritt | Talmage |
| Brace | Evans | Hinman | Miller | Teiry |
| Brennan | Farrell | Hoey | Monczynski | Thorn |
| Brereton | Fay | Hollmann | Merk | Trombly |
| Bridenbecker | Filley | Hoyt | Murray | Turley |
| Brooks | Fitzpatrick | Huber | Myers | Walker |
| Brown | Foley | Jackson | Neupert | Ward |
| Bryant | Friedman | Jameson | Nolan | Waring |
| Bush | Geatons | Jones | Oliver | Warren |
| Butler | Gerhardt | Kennedy | O'Neil M A | Waters F A |
| Carew | Gerken | Keys | Patrie | Waters R B |
| Caughlan | Gillen | Kopp | Phillips C W | Weil |
| Chanler | Goodman | Lansing | Phillips J S | Wende |
| Cheney | Goodwin | LaReau | Saunders | Wheeler |
| Coffey | Graubard | Lent | Schifferdecker | Wilson |
| Collin | Gray | Levy A J | Seeley | Winters |
| Colné | Gregg | Levy J | Shannon | Yale |
| Constantine | Gurnett | Macdonald | Shea | Yeomans |
| Cross | Hackett | MacGregor | Sheide | Young |
| Cuvillier | Haines | Manley | Shepardson | Zorn |
| Dawson | Hammond | Martin | Shlivek | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2148, Rec. No. 591), entitled "An act to amend the Highway Law, in relation to the course and description of State route number four."

On motion of Mr. Cheney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hart | McCue | Shlivek |
| Allen | Donnelly | Hearn | McDaniels | Shortt |
| Baumes | Donovan | Herrick J J | McElligott | Smith A E |
| Beach | Drummond | Herrick W R | McGrath | Smith T K |
| Blauvelt | Ebbetts | Heyman | McKeon | Stivers |
| Boylan | Egan | Higgins | Merritt | Sweet |
| Brace | Evans | Hinman | Miller | Talmage |
| Brennan | Farrell | Hoey | Monczynski | Terry |
| Brereton | Fay | Hollmann | Mork | Thorn |
| Bridenbecker | Filley | Hoyt | Murray | Trombly |
| Brooks | Fitzpatrick | Huber | Myers | Turley |
| Brown | Foley | Jackson | Neupert | Walker |
| Bryant | Friedman | Jameson | Nolan | Ward |
| Bush | Geatons | Jones | Oliver | Waring |
| Butler | Gerhardt | Kennedy | O'Neil M A | Warren |
| Carew | Gerken | Keys | Patrie | Waters F A |
| Caughlan | Gillen | Kopp | Phillips C W | Waters R B |
| Chanler | Goodman | Lansing | Phillips J S | Weil |
| Cheney | Goodwin | LaReau | Pierce | Wende |
| Coffey | Graubard | Lent | Saunders | Wheeler |
| Collin | Gray | Levy A J | Schifferdecker | Wilson |
| Colné | Gregg | Levy J | Seeley | Winters |
| Constantine | Gurnett | Macdonald | Shannon | Yale |
| Cross | Hackett | MacGregor | Shea | Yeomans |
| Cuvillier | Haines | Manley | Sheide | Young |
| Dawson | Hammond | Martin | Shepardson | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2144, Rec. No. 578), entitled "An act to amend section ten of the Stock Corporation Law, to enable provision for claims accrued in connection with the operation, maintenance or construction of any or all the property owned by or leased to a corporation prior to its reorganization."

On motion of Mr. Walker, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 26

NOES 37

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|--------------|-----------|------------|
| Adler | Hammond | McElligott | Smith A E | Waters R B |
| Brennan | Herrick J J | Merritt | Sullivan | Wilson |
| Brooks | Jackson | Pappert | Thorn | Winters |
| Caughlan | Jones | Phillips J S | Walker | Yeomans |
| Cuvillier | Keys | Seeley | Waring | Young |
| Goodwin | | | | |

Those who voted in the negative were:

| | | | | |
|--------------|-------------|------------|------------|---------|
| Allen | Graubard | Levy A J | Myers | Ward |
| Boylan | Gregg | Levy J | O'Neil M A | Warren |
| Brace | Herrick W R | McGrath | Parker A | Weil |
| Bridenbecker | Heyman | McKeon | Saunders | Wende |
| Bryant | Higgins | Miller | Scheide | Wheeler |
| Carew | Hoff | Monczynski | Shortt | Yale |
| Collin | Huber | Mork | Terry | Zorn |
| Colné | Kennedy | | | |

Mr. Walker moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 2191, Rec. No. 604), entitled "An act making an appropriation for highway improvement in expediting the building of State route number forty-one."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 1

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Allen | Donnelly | Hart | McCue | Shortt |
| Baumes | Donovan | Hearn | McDaniels | Smith A E |
| Beach | Drummond | Herrick J J | McElligott | Smith T K |
| Blauvelt | Ebbetts | Herrick W R | McGrath | Stivers |
| Boylan | Egan | Heyman | McKeon | Sweet |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Brace | Evans | Higgins | Merritt | Talmage |
| Brennan | Farrell | Hinman | Miller | Terry |
| Brereton | Fay | Hoey | Monezynski | Thorn |
| Bridenbecker | Filley | Hollmann | Mork | Trombly |
| Brooks | Fitzpatrick | Hoyt | Murray | Turley |
| Brown | Foley | Huber | Myers | Walker |
| Bryant | Friedman | Jackson | Neupert | Ward |
| Bush | Geatons | Jameson | Nolan | Waring |
| Butler | Gerhardt | Jones | Oliver | Warren |
| Carew | Gerken | Kennedy | O'Neil M A | Waters F A |
| Caughlan | Gillen | Keys | Patrie | Waters R B |
| Chanler | Goodman | Kopp | Phillips C W | Weil |
| Cheney | Goodwin | Lansing | Phillips J S | Wende |
| Coffey | Gould | LaReau | Saunders | Wheeler |
| Collin | Graubard | Lent | Schifferdecker | Wilson |
| Colné | Gray | Levy A J | Seeley | Winters |
| Constantine | Gregg | Levy J | Shannon | Yale |
| Cross | Gurnett | Macdonald | Shea | Yeomans |
| Cuvillier | Hackett | MacGregor | Sheide | Young |
| Dawson | Haines | Manley | Shepardson | Zorn |
| Day | Hammond | Martin | Shlivek | |

In the negative:

Adler

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Chanler in the chair.

Mr. Speaker announced the special order, being the Senate bill (No. 2178, Rec. No. 574), entitled "An act to amend the Penal Law, in relation to keeping gaming and betting establishments."

Debate was had thereon.

Mr. Speaker in the chair.

Debate was continued.

On motion of Mr. Martin, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 53

NOES 63

Those who voted in the affirmative were:

| | | | | |
|-----------|-------------|------------|------------|------------|
| Boylan | Gerken | Jackson | McKeon | Shortt |
| Brace | Goldberg | Jameson | Mork | Smith A E |
| Brennan | Gould | Jones | Myers | Spielberg |
| Carew | Graubard | Kennedy | Neupert | Terry |
| Caughlan | Gregg | Levy A J | Nolan | Turley |
| Cuvillier | Hackett | Levy J | Oliver | Walker |
| Donnelly | Hearn | Manley | O'Neil M A | Warren |
| Farrell | Herrick J J | Martin | Pappert | Waters R B |
| Fay | Herrick W R | McCue | Parker A | Weil |
| Foley | Heyman | McElligott | Seeley | Wende |
| Friedman | Hoey | McGrath | | |

Those who voted in the negative were:

| | | | | |
|--------------|-------------|---------|--------------|-----------|
| Adler | Colné | Gurnett | Macdonald | Smith T K |
| Allen | Constantine | Haines | MacGregor | Stivers |
| Baumes | Cross | Hammond | McDaniels | Sweet |
| Beach | Day | Hart | Merritt | Thorn |
| Bridenbecker | DeLano | Higgins | Miller | Trombly |
| Brooks | Drummond | Hoff | Murray | Ward |
| Brown | Ebbetts | Hoyt | Phillips J S | Waring |
| Bryant | Evans | Huber | Saunders | Wheeler |
| Butler | Filley | Keys | Shannon | Wilson |
| Chanler | Geatons | Kopp | Shea | Yale |
| Cheney | Goldstein | Lansing | Shepardson | Yeomans |
| Coffey | Goodwin | LaReau | Shlivek | Young |
| Collin | Gray | Lent | | |

Mr. A. E. Smith moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

At 6 o'clock P. M., on motion of Mr. A. E. Smith, the House took a recess until 8 o'clock P. M.

EIGHT O'CLOCK P. M.

The House again convened.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

| | | | | |
|--------|----------|-------------|------------|-----------|
| Adler | Day | Herrick J J | Merritt | Smith A E |
| Allen | Donnelly | Herrick W R | Miller | Spielberg |
| Baumes | Donovan | Higgins | Monezynski | Stivers |

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Beach | Drummond | Hinman | Mork | Sweet |
| Blauvelt | Ebbetts | Hoey | Murray | Terry |
| Boylan | Egan | Hoff | Myers | Thorn |
| Brennan | Farrell | Hoyt | Neupert | Trombly |
| Bridenbecker | Fay | Huber | Oliver | Turley |
| Brooks | Fitzpatrick | Jackson | O'Neil M A | Walker |
| Brown | Foley | Jameson | Pappert | Ward |
| Bryant | Friedman | Jones | Parker A | Waring |
| Bush | Geatons | Kennedy | Parker J S | Warren |
| Carew | Gerhardt | Keys | Patrie | Waters F A |
| Caughlan | Gerken | Levy A J | Phillips C W | Waters R B |
| Chanler | Goldstein | Levy J | Phillips J S | Weil |
| Cheney | Goodman | MacGregor | Saunders | Wende |
| Coffey | Gould | Manley | Schifferdecker | Wheeler |
| Collin | Gregg | Martin | Seeley | Wilson |
| Colné | Hackett | McCue | Shea | Yale |
| Constantine | Haines | McDaniels | Sheide | Young |
| Cosad | Hammond | McElligott | Shepardson | Zorn |
| Cuvillier | Hart | McGrath | Shortt | Speaker |
| Dawson | Hearn | | | |

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker presented the special report of the Comptroller on municipal accounts, which was laid upon the table and ordered printed.

(See Assembly Document No. 63.)

Mr. Speaker announced the special order, being the Senate bill (No. 1869, Rec. No. 590), entitled "An act authorizing the preparation of an index of the Session Laws and statutes of the State of New York."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Herrick W R | McDaniels | Shortt |
| Allen | Day | Heyman | McElligott | Smith A E |
| Baumes | Donnelly | Higgins | McGrath | Smith T K |
| Beach | Donovan | Hinman | Merritt | Stivers |
| Blauvelt | Drummond | Hoey | Miller | Sweet |
| Boylan | Ebbetts | Hollmann | Monczynski | Terry |
| Brace | Egan | Hoyt | Mork | Thorn |
| Brennan | Farrell | Huber | Murray | Trombly |
| Brereton | Fay | Jackson | Myers | Turley |
| Bridenbecker | Filley | Jameson | Neupert | Walker |
| Brooks | Fitzpatrick | Jones | Nolan | Ward |
| Brown | Foley | Kennedy | Oliver | Waring |
| Bryant | Friedman | Keys | O'Neil M A | Warren |
| Bush | Geatons | Kopp | Patrie | Waters F A |
| Butler | Gerhardt | Lansing | Phillips C W | Waters R B |
| Carew | Goodman | LaReau | Phillips J S | Weil |
| Caughlan | Goodwin | Lent | Saunders | Wende |
| Chanler | Graubard | Levy A J | Schifferdecker | Wheeler |
| Cheney | Gregg | Levy J | Seeley | Wilson |
| Coffey | Haines | Macdonald | Shannon | Winters |
| Collin | Hammond | MacGregor | Shea | Yale |
| Colné | Hart | Manley | Sheide | Yeomans |
| Constantine | Hearn | Martin | Shepardson | Young |
| Cross | Herrick J J | McCue | Shlivek | Zorn |
| Cuvillier | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1883, Rec. No. 586), entitled "An act to amend the Insurance Law, by providing that fire insurance companies may not issue policies of fire insurance under any name other than their corporate titles."

Said bill having been announced for a second reading,

On motion of Mr. Hoey, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Friday next.

Mr. Speaker announced the special order, being the Senate bill (No. 2215, Rec. No. 595), entitled "An act to amend the Highway Law, in relation to the course and description of State route number fifteen."

On motion of Mr. Keys, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hart | McCue | Shortt |
| Allen | Donnelly | Hearn | McDaniels | Smith A E |
| Baumes | Donovan | Herrick J J | McElligott | Smith T K |
| Beach | Drummond | Herrick W R | McGrath | Stivers |
| Blauvelt | Ebbetts | Heyman | McKeon | Sweet |
| Boylan | Egan | Higgins | Meritt | Talmage |
| Brace | Evans | Hinman | Miller | Terry |
| Brennan | Farrell | Hoe | Monczynski | Thorn |
| Brereton | Fay | Hollmann | Mork | Trombly |
| Bridenbecker | Filley | Hoyt | Murray | Turley |
| Brooks | Fitzpatrick | Huber | Myers | Walker |
| Brown | Foley | Jackson | Neupert | Ward |
| Bryant | Friedman | Jameson | Nolan | Waring |
| Bush | Geatons | Jones | Oliver | Warren |
| Butler | Gerhardt | Kennedy | O'Neil M A | Waters F A |
| Carew | Gerken | Keys | Patrie | Waters R B |
| Caughlan | Gillen | Kopp | Phillips C W | Weil |
| Chanler | Goodman | Lansing | Phillips J S | Wende |
| Cheney | Goodwin | LaReau | Saunders | Wheeler |
| Coffey | Graubard | Lent | Schifferdecker | Wilson |
| Collin | Gray | Levy A J | Seeley | Winters |
| Colné | Gregg | Levy J | Shannon | Yale |
| Constantine | Gurnett | Macdonald | Shea | Yeomans |
| Cross | Hackett | MacGregor | Sheide | Young |
| Cuvillier | Haines | Manley | Shepardson | Zorn |
| Dawson | Hammond | Martin | Shlivek | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 410, Rec. No. 598), entitled "An act making an appropriation for highway improvement in expediting the construction of portions of State route number nine."

On motion of Mr. J. S. Phillips, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Allen | Donnelly | Hearn | McDaniels | Shortt |
| Baumes | Donovan | Herrick J J | McElligott | Smith A E |
| Beach | Drummond | Herrick W R | McGrath | Smith T K |
| Blauvelt | Ebbetts | Heyman | McKeon | Stivers |
| Boylan | Egan | Higgins | Merritt | Sweet |
| Brace | Evans | Hinman | Miller | Talmage |
| Brennan | Farrell | Hoey | Monczynski | Terry |
| Brereton | Fay | Hollmann | Mork | Thorn |
| Bridenbecker | Fillely | Hoyt | Murray | Trombly |
| Brooks | Fitzpatrick | Huber | Myers | Turley |
| Brown | Foley | Jackson | Neupert | Walker |
| Bryant | Friedman | Jameson | Nolan | Ward |
| Bush | Geatons | Jones | Oliver | Waring |
| Butler | Gerhardt | Kennedy | O'Neil M A | Warren |
| Carew | Gerken | Keys | Patrie | Waters F A |
| Caughlan | Gillen | Kopp | Phillips C W | Waters R B |
| Chanler | Goodman | Lansing | Phillips J S | Weil |
| Cheney | Goodwin | LaReau | Saunders | Wende |
| Coffey | Graubard | Lent | Schifferdecker | Wheeler |
| Collin | Gray | Levy A J | Seeley | Wilson |
| Colné | Gregg | Levy J | Shannon | Winters |
| Constantine | Gurnett | Macdonald | Shea | Yale |
| Cross | Hackett | MacGregor | Sheide | Yeomans |
| Cuvillier | Haines | Manley | Shepardson | Young |
| Dawson | Hammond | Martin | Shlivek | Zorn |
| Day | Hart | McCue | | |

In the negative:

Adler

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2041, Rec. No. 487), entitled "An act to amend the Code of Civil Procedure, in relation to restoring the Board of Claims, with the powers and jurisdiction of the Court of Claims, and providing for the appointment of the members of such board."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 74

NOES 46

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-----------|
| Blauvelt | Drummond | Gurnett | McDaniels | Seeley |
| Boylan | Egan | Hackett | McElligott | Sheide |
| Brennan | Evans | Hearn | McGrath | Smith A E |
| Bridenbecker | Farrell | Herrick J J | McKeon | Spielberg |
| Bush | Fay | Herrick W R | Miller | Terry |
| Carew | Fitzpatrick | Hoey | Monczynski | Trombly |
| Caughlan | Foley | Hoyt | Mork | Turley |
| Chanler | Geatons | Huber | Myers | Walker |
| Collin | Gerhardt | Jackson | Neupert | Warren |
| Cosad | Gerken | Jameson | Oliver | Weil |
| Cuvillier | Goldberg | Kennedy | O'Neil M A | Wende |
| Dawson | Goldstein | Levy A J | Parker A | Wheeler |
| Day | Gould | Manley | Patrie | Zorn |
| Donnelly | Graubard | Martin | Saunders | Speaker |
| Donovan | Gregg | McCue | Schifferdecker | |

Those who voted in the negative were:

| | | | | |
|-------------|----------|-----------|--------------|------------|
| Adler | Cross | Hoff | Pappert | Sweet |
| Baumes | Ebbetts | Jones | Parker J S | Thorn |
| Beach | Friedman | Keys | Phillips C W | Ward |
| Brooks | Goodman | Kopp | Phillips J S | Waring |
| Brown | Haines | Levy J | Shea | Waters F A |
| Bryant | Hammond | MacGregor | Shepardson | Waters R B |
| Cheney | Hart | Mercitt | Shortt | Wilson |
| Coffey | Higgins | Murray | Smith T K | Yale |
| Colné | Hinman | Nolan | Stivers | Young |
| Constantine | | | | |

Mr. A. E. Smith moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 154, Rec. No. 129), entitled "An act to amend the Civil Service Law, in relation to power of municipal commissions to conduct investigations."

Said bill having been announced for a second reading,

On motion of Mr. Foley, and by unanimous consent, said bill was ordered placed on the second and third reading calendar for Friday next.

The bill (No. 2600, Int. No. 1954) entitled "An act to amend

the Election Law, in relation to registration and the organization of boards of elections," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 77

NOES 51

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Beach | Drummond | Hackett | McCue | Saunders |
| Blauvelt | Egan | Hearn | McDaniels | Schifferdecker |
| Boylan | Evans | Herrick J J | McElligott | Seeley |
| Brennan | Farrell | Herrick W R | McGrath | Sheide |
| Bridenbecker | Fay | Hoey | McKeon | Shortt |
| Bush | Fitzpatrick | Hoyt | Miller | Smith A E |
| Carew | Foley | Huber | Monczynski | Spielberg |
| Caughlan | Friedman | Jackson | Mork | Terry |
| Chanler | Geatons | Jameson | Myers | Trombly |
| Collin | Gerhardt | Kennedy | Neupert | Turley |
| Cosad | Gerken | LaReau | Oliver | Walker |
| Cuvillier | Goldberg | Levy A J | O'Neill J J | Warren |
| Dawson | Goldstein | Levy J | O'Neil M A | Weil |
| Day | Gould | Manley | Parker A | Wende |
| Donnelly | Graubard | Martin | Patrie | Zorn |
| Donovan | Gregg | | | |

Those who voted in the negative were:

| | | | | |
|-------------|---------|------------|--------------|------------|
| Adler | Ebbetts | Keys | Phillips C W | Thorn |
| Allen | Goodman | Kopp | Phillips J S | Ward |
| Baumes | Goodwin | Lansing | Shannon | Waring |
| Brereton | Haines | Lent | Shea | Waters F A |
| Brooks | Hammond | MacGregor | Shepardson | Waters R B |
| Brown | Hart | Merritt | Shlivek | Wheeler |
| Bryant | Higgins | Murray | Smith T K | Wilson |
| Cheney | Hinman | Nolan | Stivers | Yale |
| Coffey | Hoff | Pappert | Sweet | Yeamans |
| Colné | Jones | Parker J S | Talmage | Young |
| Constantine | | | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The Senate returned the Assembly bill (No. 2500, Senate Reprint No. 2194, Int. No. 1605), entitled "An act to progress the work of constructing the new Harlem prison, at Wingdale, to take the place of Sing Sing prison, and making an appropriation therefor," with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 1, after the word "authorized" insert "on the approval of the Governor and the State Architect".

Page 2, line 2, after the word "plant" change the period to a comma and insert "for a sum not exceeding \$90,000; said contract to be approved by the Governor and State Architect."

Page 2, line 7, after the word "commission" insert "on the approval of the Governor and the State Architect".

Page 2, line 14, after the word "year" add "as provided in the last section".

Page 2, line 23, after the word "architect" add "and the State Architect".

Mr. A. E. Smith moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Herrick W R | McDaniels | Shortt |
| Allen | Day | Heyman | McElligott | Smith A E |
| Baumes | Donnelly | Higgins | McGrath | Smith T K |
| Beach | Donovan | Hinman | Merritt | Stivers |
| Blauvelt | Drummond | Hoey | Miller | Sweet |
| Boylan | Ebbetts | Hollmann | Monczynski | Terry |
| Brace | Egan | Hoyt | Mork | Thorn |
| Brennan | Farrell | Huber | Murray | Trombly |
| Brereton | Fay | Jackson | Myers | Turley |
| Bridenbecker | Filley | Jameson | Neupert | Walker |
| Brooks | Fitzpatrick | Jones | Nolan | Ward |
| Brown | Foley | Kennedy | Oliver | Waring |
| Bryant | Friedman | Keys | O'Neil M A | Warren |
| Bush | Geatons | Kopp | Patrie | Waters F A |
| Butler | Gerhardt | Lansing | Phillips C W | Waters R B |
| Carew | Goodman | LaReau | Phillips J S | Weil |
| Caughlan | Goodwin | Lent | Saunders | Wende |
| Chanler | Graubard | Levy A J | Schifferdecker | Wheeler |
| Cheney | Gregg | Levy J | Seeley | Wilson |
| Coffey | Haines | Macdonald | Shannon | Winters |
| Collin | Hammond | MacGregor | Shea | Yale |
| Colné | Hart | Manley | Sheide | Yeomans |
| Constantine | Hearn | Martin | Shepardson | Young |
| Cross | Herrick J J | McCue | Shlivek | Zorn |
| Cuvillier | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1905, Senate Reprint No. 1939, Int. No. 1156), entitled "An act to amend the Code of Civil Procedure, in relation to hearing before removal of certain court officers," with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 6, bracket period after the word "assistants".

Page 2, line 6, after the bracketed period insert a comma as new matter, and the following in italics: "and a stenographer and typewriter operator for the purpose of copying their minutes and opinions, and doing such other confidential work which may be required by said justices or the clerk of the court."

Page 2, line 7, after the word "assistant" bracket the period and insert the following in italics: "and the stenographer and typewriter operator".

Page 2, line 8, after the word "clerk" strike out the word "and".

Page 2, line 8, after the word "assistant" insert the following in italics: "and the stenographer and typewriter operator".

Mr. McGrath moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Dawson | Herrick W R | McDaniels | Shortt |
| Allen | Day | Heyman | McElligott | Smith A E |
| Baumes | Donnelly | Higgins | McGrath | Smith T K |
| Beach | Donovan | Hinman | Merritt | Stivers |
| Blauvelt | Drummond | Hoey | Miller | Sweet |
| Boylan | Ebbetts | Hollmann | Moneczynski | Terry |
| Brace | Egan | Hoyt | Mork | Thorn |
| Brennan | Farrell | Huber | Murray | Trombly |
| Brereton | Fay | Jackson | Myers | Turley |
| Bridenbecker | Filley | Jameson | Neupert | Walker |
| Brooks | Fitzpatrick | Jones | Nolan | Ward |
| Brown | Foley | Kennedy | Oliver | Waring |
| Bryant | Friedman | Keys | O'Neil M A | Warren |
| Bush | Geatons | Kopp | Patrie | Waters F A |
| Butler | Gerhardt | Lansing | Phillips C W | Waters R B |
| Carew | Goodman | LaReau | Phillips J S | Weil |

| | | | | |
|-------------|-------------|-----------|----------------|---------|
| Caughlan | Goodwin | Lent | Saunders | Wende |
| Chanler | Graubard | Levy A J | Schifferdecker | Wheeler |
| Cheney | Gregg | Levy J | Seeley | Wilson |
| Coffey | Haines | Macdonald | Shannon | Wintels |
| Collin | Hammond | MacGregor | Shea | Yale |
| Colné | Hart | Manley | Sheide | Yeomans |
| Constantine | Hearn | Martin | Shepardson | Young |
| Cross | Herrick J J | McCue | Shlivek | Zorn |
| Cuvillier | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1936, Senate Reprint No. 2071, Int. No. 1597), entitled "An act to amend chapter one hundred and sixty-four of the Laws of nineteen hundred and seven, entitled 'An act to incorporate "The Queens Borough Public Library," and to permit libraries in the borough of Queens of the city of New York to convey their property thereto, and limiting and defining the powers thereof,' in relation to terms and appointment of trustees of such corporations," with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 12, after the word "mayor" strike out the remainder of said line.

Page 2, line 13, strike out the words "the board of aldermen".

Mr. Zorn moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Adler | Dawson | Herrick W R | McDaniels | Shortt |
| Allen | Day | Heyman | McElligott | Smith A E |
| Baumes | Donnelly | Higgins | McGrath | Smith T K |
| Beach | Donovan | Hinman | Merritt | Stivers |
| Blauvelt | Drummond | Hoey | Miller | Sweet |
| Boylan | Ebbetts | Hollmann | Monczynski | Terry |
| Brace | Egan | Hoyt | Mork | Thorn |
| Brennan | Farrell | Huber | Murray | Trombly |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Brereton | Fay | Jackson | Myers | Turley |
| Bridenbecker | Filley | Jameson | Neupert | Walker |
| Brooks | Fitzpatrick | Jones | Nolan | Ward |
| Brown | Foley | Kennedy | Oliver | Waring |
| Bryant | Friedman | Keys | O'Neil M A | Warren |
| Bush | Geatons | Kopp | Patrie | Waters F A |
| Butler | Gerhardt | Lansing | Phillips C W | Waters R B |
| Carew | Goodman | LaReau | Phillips J S | Weil |
| Caughlan | Goodwin | Lent | Saunders | Wende |
| Chanler | Graubard | Levy A J | Schifferdecker | Wheeler |
| Cheney | Gregg | Levy J | Seeley | Wilson |
| Coffey | Haines | Macdonald | Shannon | Winters |
| Collin | Hammond | MacGregor | Shea | Yale |
| Colné | Hart | Manley | Sheide | Yeomans |
| Constantine | Hearn | Martin | Shepardson | Young |
| Cross | Herrick J J | McCue | Shlivek | Zorn |
| Cuvillier | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate sent for concurrence the following entitled bills:

"An act to amend the Education Law, in relation to the dissolution and liquidation of the affairs of incorporated educational institutions" (No. 2244, Rec. No. 614), which was read the first time and referred to the committee on public education.

"An act to amend the Labor Law, in relation to laundries" (No. 2055, Rec. No. 615), which was read the first time and referred to the committee on insurance.

"An act to amend subdivision seven of section eight hundred and seventy-two of an act, entitled 'An act in relation to courts, officers of justice and civil proceedings,' passed June second, eighteen hundred and seventy-six" (No. 1624, Rec. No. 616), which was read the first time and referred to the committee on codes.

"An act to amend the Insurance Law, to permit mutual employers' liability insurance companies of other States to do business within this State, to regulate the business done by them and to tax the same" (No. 981, Rec. No. 617), which was read the first time and referred to the committee on insurance.

"An act to amend the Tax Law, in relation to the appointment of transfer tax appraisers, stenographers and clerks" (No. 2167, Rec. No. 618), which was read the first time and referred to the committee on taxation and retrenchment.

"An act to amend the Education Law, relating to the establish-

ment of State schools for immigrants at places where public works are in course of construction " (No. 1996, Rec. No. 619), which was read the first time and referred to the committee on public education.

"An act to amend the Code of Civil Procedure, in relation to depositions taken and to be used within the State " (No. 2225, Rec. No. 620), which was read the first time and referred to the committee on codes.

"An act to protect life and limb where trains used for transportation of freight or passengers in cities are operated " (No. 2119, Rec. No. 621), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Labor Law, in relation to mercantile establishments " (No. 2067, Rec. No. 622), which was read the first time and referred to the committee on labor and industries.

"An act to amend the Labor Law, in relation to fire escapes " (No. 2054, Rec. No. 623), which was read the first time and referred to the committee on labor and industries.

"An act to repeal the various acts relating to the Albany Burgesses Corps " (No. 2100, Rec. No. 624), which was read the first time and referred to the committee on military affairs.

"An act authorizing the justices of the Appellate Division of the Supreme Court in the first department to retire employees for incapacity and providing for their compensation " (No. 1927, Rec. No. 625), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Agricultural Law, in relation to a bureau of agricultural labor in the city of Buffalo, and making an appropriation therefor " (No. 1946, Rec. No. 626), which was read the first time and referred to the committee on ways and means.

"An act to amend the Code of Civil Procedure, in relation to depositions to be used on motions " (No. 2050, Rec. No. 627), which was read the first time and referred to the committee on codes.

"An act to amend chapter forty-eight of the Laws of eighteen hundred and thirty, entitled 'An act to incorporate the New York Law Institute,' by increasing the amount for which the said corporation may take, hold and convey real estate " (No. 2144, Rec.

No. 628), which was read the first time and referred to the committee on the judiciary.

“An act to amend chapter three hundred and sixty of the Laws of nineteen hundred and eleven, entitled ‘An act to promote the health and efficiency of policemen in cities of the first and second class’ (No. 2168, Rec. No. 629), which was read the first time and referred to the committee on affairs of cities.

“Concurrent resolution of the Senate and Assembly, proposing an amendment to section four of article four of the Constitution, in relation to the salary of Governor” (No. 2249, Rec. No. 631), which was read the first time.

Pursuant to notice, Mr. A. E. Smith moved to suspend rule 6 for the purpose of advancing and passing said concurrent resolution.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Dawson | Herrick W R | McDaniels | Shortt |
| Allen | Day | Heyman | McElligott | Smith A E |
| Baumes | Donnelly | Higgins | McGrath | Smith T K |
| Beach | Donovan | Hinman | Merritt | Stivers |
| Blauvelt | Drummond | Hoey | Miller | Sweet |
| Boylan | Ebbetts | Hollmann | Moneczynski | Terry |
| Brace | Egan | Hoyt | Mork | Thorn |
| Brennan | Farrell | Huber | Murray | Trombly |
| Brereton | Fay | Jackson | Myers | Turley |
| Bridenbecker | Filley | Jameson | Neupert | Walker |
| Brooks | Fitzpatrick | Jones | Nolan | Ward |
| Brown | Foley | Kennedy | Oliver | Waring |
| Bryant | Friedman | Keys | O'Neil M A | Warren |
| Bush | Geatons | Kopp | Patrie | Waters F A |
| Butler | Gerhardt | Lansing | Phillips C W | Waters R B |
| Carew | Goodman | LaReau | Phillips J S | Weil |
| Caughlan | Goodwin | Lent | Saunders | Wende |

| | | | | |
|-------------|-------------|-----------|----------------|---------|
| Chanler | Graubard | Levy A J | Schifferdecker | Wheeler |
| Cheney | Gregg | Levy J | Seeley | Wilson |
| Coffey | Haines | Macdonald | Shannon | Winters |
| Collin | Hammond | MacGregor | Shea | Yale |
| Colné | Hart | Manley | Sheide | Yeomans |
| Constantine | Hearn | Martin | Shepardson | Young |
| Cross | Herrick J J | McCue | Shlivek | Zorn |
| Cuvillier | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend chapter one hundred and ninety-five of the Laws of eighteen hundred and forty-six, entitled 'An act to authorize the New York and New Haven Railroad Company to extend their railroad from the Connecticut line to the New York and Harlem railroad,' in regard to commutation and other rates of fare and otherwise" (No. 2122, Rec. No. 630), which was read the first time and referred to the committee on railroads.

"An act to amend the Stock Corporation Law" (No. 2207, Rec. No. 632), which was read the first time and referred to the committee on general laws.

"An act to amend section eight hundred and eighty-one of an act, entitled 'An act relating to courts, officers of justice and civil proceedings,' passed June second, eighteen hundred and seventy-six" (No. 1623, Rec. No. 633), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Military Law, in relation to the militia council" (No. 2226, Rec. No. 634), which was read the first time and referred to the committee on military affairs.

"An act authorizing the appointment of a police justice in the village of Elmsford, in Westchester county, and relating to his power, jurisdiction and duties" (No. 2199, Rec. No. 635), which was read the first time and referred to the committee on the judiciary.

"An act to enable the commissioner of public safety of the city of Yonkers to review, rehear and determine the charges against James McGowan, formerly a patrolman in the police department of the city of Yonkers, and to reinstate said James McGowan as a patrolman in the said police department" (No. 2126, Rec. No. 636), which was read the first time and referred to the committee on affairs of cities.

Mr. Foley offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the committee on affairs of cities of the Senate and the committee on affairs of cities of the Assembly be constituted a joint legislative committee for the purpose of considering Senate bill (No. 2233) and Assembly bill (No. 2596), entitled "An act constituting the New York city charter."

That such committee be authorized to sit during the recess of the Legislature and in the city of New York; be authorized to employ such assistants as it deem necessary; and have all of the powers of a legislative committee; and be it further

Resolved, That the necessary expenses of the committee be paid from the moneys appropriated for the payment of the contingent expenses of the Legislature upon the certificate of the chairmen of said committees and either the Temporary President of the Senate or the Speaker of the Assembly.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Herrick W R | McDaniels | Shoitt |
| Allen | Day | Heyman | McElligott | Smith A E |
| Baumes | Donnelly | Higgins | McGrath | Smith T K |
| Beach | Donovan | Hinman | Merritt | Stivers |
| Blauvelt | Drummond | Hoey | Miller | Sweet |
| Boylan | Ebbetts | Hollmann | Monczynski | Terry |
| Brace | Egan | Hoyt | Mork | Thorn |
| Brennan | Farrell | Huber | Murray | Trombly |
| Brereton | Fay | Jackson | Myers | Turley |
| Bridenbecker | Filley | Jameson | Neupert | Walker |
| Brooks | Fitzpatrick | Jones | Nolan | Ward |
| Brown | Foley | Kennedy | Oliver | Waring |
| Bryant | Friedman | Keys | O'Neil M A | Warren |
| Bush | Geatons | Kopp | Patrie | Waters F A |
| Butler | Gerhardt | Lansing | Phillips C W | Waters R B |
| Carew | Goodman. | LaReau | Phillips J S | Weil |
| Caughlan | Goodwin | Lent | Saunders | Wende |
| Chanler | Graubard | Levy A J | Schifferdecker | Wheeler |
| Cheney | Gregg | Levy J | Sesley | Wilson |
| Coffey | Haines | Macdonald | Shannon | Winters |
| Collin | Hammond | MacGregor | Shea | Yale |
| Colné | Hart | Manley | Sheide | Yeomans |
| Constantine | Hearn | Martin | Shepardson | Young |
| Cosad | Herrick J J | McCue | Shlivek | Zorn |
| Cuvillier | | | | |

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *July 20, 1911.*

Resolved (if the Assembly concur), That the Treasurer, on the warrant of the Comptroller, pay from the moneys appropriated for the payment of the contingent expenses of the Legislature the expenses incurred by the committee on affairs of cities of the Senate and Assembly in the preparation of the amended draft of the proposed New York charter; such expenses to be paid on the certificate of the chairmen of said committees and the President of the Senate or Speaker of the Assembly.

By order of the Senate,

PATRICK E. McCABE,

Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Herrick W R | McDaniels | Shortt |
| Allen | Day | Heyman | McElligott | Smith A E |
| Barnes | Donnelly | Higgins | McGrath | Smith T K |
| Beach | Donovan | Hinman | Merritt | Stivers |
| Blauvelt | Drummond | Hoey | Miller | Sweet |
| Boylan | Ebbetts | Hollmann | Monezynski | Terry |
| Brace | Egan | Hoyt | Mork | Thorn |
| Brennan | Farrell | Huber | Murray | Trombly |
| Brereton | Fay | Jackson | Myers | Turley |
| Bridenbecker | Filley | Jameson | Neupert | Walker |
| Brooks | Fitzpatrick | Jones | Nolan | Ward |
| Brown | Foley | Kennedy | Oliver | Waring |
| Bryant | Friedman | Keys | O'Neil MA | Warren |
| Bush | Geatons | Kopp | Patrie | Waters F A |
| Butler | Gerhardt | Lansing | Phillips C W | Waters R B |
| Carew | Goodman | LaReau | Phillips J S | Weil |
| Caughlan | Goodwin | Lent | Saunders | Wende |
| Chanler | Graubard | Levy A J | Schifferdecker | Wheeler |
| Cheney | Gregg | Levy J | Seeley | Wilson |
| Coffey | Haines | Macdonald | Shannon | Winters |
| Collin | Hammond | MacGregor | Shea | Yale |
| Colné | Hart | Manley | Sheide | Yeomans |
| Constantine | Hearn | Martin | Shepardson | Young |
| Cross | Herrick J J | McCue | Shlivek | Zorn |
| Cuvillier | | | | |

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 19, 1911.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1537, Int. No. 1306), entitled "An act to amend the Forest, Fish and Game Law, in relation to appointment of special game protectors and wardens."

JOHN A. DIX.

The Senate returned the bill (No. 2595, Int. No. 1857), entitled "An act to amend the Tenement-House Law, generally."

Also, the bill (No. 1930, Int. No. 1591), entitled "An act to amend the Education Law, relative to the establishment of county libraries, and contracts by boards of supervisors with public libraries," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

Also, the bill (No. 1647, Int. No. 8), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to adjournment after return of jury."

Also, the bill (No. 2063, Int. No. 1675), entitled "An act to amend the Greater New York charter, in relation to conferring power upon the board of estimate and apportionment to acquire lands in certain parts of the city of New York for playgrounds and to provide for the improvement thereof," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

Also, the bill (No. 1732, Int. No. 1448), entitled "An act to legalize and validate the proceedings of the village of South Glens

Falls, in the adoption of a proposition to authorize the establishment of a sewer system and disposal works, in said village, adopted by the electors thereof, March twenty-first, nineteen hundred and eleven, and to issue bonds of the village for the construction of said sewer system to the amount of forty thousand dollars; and to authorize the said village to construct a sewer system and disposal works in said village at the expense of the village, but not to exceed in cost the sum of forty thousand dollars and for making, issuing and selling bonds for the payment of the same, and to provide for the payment of said bonds by tax."

Also, the bill (No. 1973, Int. No. 1627), entitled "An act to amend chapter one hundred and six of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise, consolidate and amend the several acts relating to the village of Mechanicville, and to repeal certain acts,' in relation to street sprinkling fund."

Also, the bill (No. 2337, Int. No. 1887), entitled "An act to provide for the maintenance by the State of a portion of a highway in the town of Ovid, Seneca county, and making an appropriation therefor."

Also, the bill (No. 2431, Int. No. 1934), entitled "An act making an appropriation for highway improvement in expediting the building of that portion of route number three, of the State highway system, extending through the county of Greene."

Also, the bill (No. 1321, Int. No. 1134), entitled "An act to provide for reconstructing a building now used as a public toilet and storehouse at Washington's headquarters in the city of Newburgh, and making an appropriation therefor."

Also, the bill (No. 1442, Int. No. 1221), entitled "An act making an appropriation for highway improvement, in expediting the building of State route number thirty-four."

Also, the bill (No. 2491, Int. No. 933), entitled "An act to amend the General City Law, in relation to licenses for theatrical and other entertainments and performances in cities of the first class."

Also, the bill (No. 2102, Int. No. 1038), entitled "An act providing for the erection of a boathouse, shelters, wharves and retaining walls at the city of Buffalo for the Third Division of the Third Battalion of the Naval Militia, upon lands of the State in the city of Buffalo, and making an appropriation therefor."

Also, the bill (No. 2391, Int. No. 1912), entitled "An act to amend the Public Service Commissions Law, in relation to the purchase and holding of bonds and capital stock by street railroad corporations and electrical corporations."

Also, the bill (No. 1503, Int. No. 1271), entitled "An act in relation to the title and possession of a certain lot in Evergreen cemetery in East New York, Long Island, and confirming a transfer thereof to Annie Johnson."

Also, the bill (No. 690, Int. No. 654), entitled "An act empowering and directing the Superintendent of Public Works to remove the obstruction, gravel, sand, et cetera, from the bed of Wood creek from its source in the town of Argyle to where it empties into the barge canal north of Dunham's basin in the town of Kingsbury, Washington county, New York."

Also, the bill (No. 88, Int. No. 88), entitled "An act to provide for the construction of a dike or dikes for the protection of property adjacent to the Delaware river in the city of Port Jervis, by the completion of the work begun under chapter seven hundred and sixteen of the Laws of nineteen hundred and four, the acquisition of lands necessary for such purpose, and making an appropriation therefor."

Also, the bill (No. 628, Int. No. 600), entitled "An act to amend the Personal Property Law, relative to transfers of shares of stock in corporations."

Also, the bill (No. 2410, Int. No. 831), entitled "An act to amend the General Corporation Law, in relation to the prohibition of banking powers."

Also, the bill (No. 478, Int. No. 466), entitled "An act to provide for the preparation, printing and distribution of a report of the dedication of the New York State central historical memorial, and reappropriating an unexpended balance to defray the expenses therefor," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 2359, Reprint No. 2587, Int. No. 1514), entitled "An act to amend section thirty-seven of chapter four of the Laws of eighteen hundred and ninety-one, entitled 'An act to provide for rapid transit railways in cities of

over one million inhabitants,' as heretofore amended, with reference to assessment of cost and expense necessary to be incurred for the construction of a rapid transit railroad and for property to be acquired for the construction and operation thereof, upon property benefited thereby," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

Also, the bill (No. 1133, Reprint No. 2586, Int. No. 1007), entitled "An act to amend the Tax Law, relative to the making of special franchise valuations by the State Board of Tax Commissioners."

Also, the bill (No. 1627, Reprint No. 2579, Int. No. 1371), entitled "An act to amend the Public Health Law, in relation to the licensing of undertakers and the compensation of members and officers of the State Board of Embalming Examiners."

Also, the bill (No. 2574, Reprint No. 2606, Int. No. 1048), entitled "An act to provide for the construction of a bridge over the barge canal at the city of Fulton, and making an appropriation therefor," with a message that they have reconsidered their vote by which said bills passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Senate bill (No. 1523, Assembly Reprint No. 2584, Rec. No. 302), entitled "An act to amend the Penal Law, in relation to penalties for violations of the Labor Law."

Also, Senate bill (No. 1856, Assembly Reprint No. 2582, Rec. No. 343), entitled "An act to amend the Penal Law, in relation to false or misleading advertisements or statements as to or in connection with the sale of real estate."

Also, Senate bill (No. 1308, Assembly Reprint No. 2593, Rec. No. 432), entitled "An act to amend the General Business Law, constituting chapter twenty of the Consolidated Laws, in relation to the operation of the cinematograph or any other apparatus for projecting moving pictures," with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the Assembly bill (No. 1921, Senate Reprint No. 2221, Int. No. 1582), entitled "An act to amend the Greater New York charter, in relation to clerks and assistant clerks of the municipal court, in the boroughs of Queens and Richmond, in the city of New York."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

Also, Assembly bill (No. 2062, Senate Reprint No. 2185, Int. No. 1674), entitled "An act to amend chapter six hundred and eighty-five of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the department of public safety of the city of Syracuse.'"

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Syracuse.

Also, Assembly bill (No. 1060, Senate Reprint No. 2043, Int. No. 706), entitled "An act to amend the Greater New York charter, in relation to pensions to members of the police force."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the Assembly bill (No. 2386, Senate Reprint No. 2112, Int. No. 522), entitled "An act to amend the General Business Law, in relation to private banking and making the same applicable to the entire State."

Also, Assembly bill (No. 1423, Senate Reprint No. 2216, Int. No. 1207), entitled "An act to amend the Military Law, in relation to retirement and discharge."

Also, Assembly bill (No. 2470, Senate Reprint No. 2222, Int. No. 1910), entitled "An act to amend the Tax Law, in relation to the appointment of transfer tax appraisers, stenographers and clerks."

Also, Assembly bill (No. 2545, Senate Reprint No. 2227, Int. No. 1247), entitled "An act to amend the Liquor Tax Law, in relation to the issuance and limitation of certificates."

Ordered, That the Clerk deliver said bills to the Governor.

Also, the bill (No. 2154, Int. No. 1730), entitled "An act to create a State advisory board in relation to agricultural education and country life advancement," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 2444, Int. No. 1950), entitled "An act authorizing the board of aldermen of the city of New York to audit, allow and certify to the comptroller for payment, as charges against said city, the reasonable expenses for medical and surgical treatment and maintenance of the mayor or other officer or employee of the city of New York for gunshot wounds or personal injuries, and authorizing the comptroller to audit and pay such charges," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

Also, the bill (No. 2038, Int. No. 251), entitled "An act to amend the Greater New York charter, relating to the list of names of suspended employees," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

Also, the bill (No. 2177, Int. No. 1768), entitled "An act to legalize, ratify and confirm resolutions, acts and proceedings of the common council of the city of Cohoes, in relation to the pavement of Vine street, and the contract entered into therefor, and providing for a special assessment to pay the expense thereof," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Cohoes.

The Senate returned the bill (No. 2487, Int. No. 1916), entitled "An act to amend the Tax Law, in relation to ascertaining facts for assessment."

Also, the bill (No. 2240, Int. No. 1807), entitled "An act to legalize certain tax assessments."

Also, the bill (No. 1638, Int. No. 564), entitled "An act to amend the General Business Law, in relation to the sale of coal, coke or charcoal and repealing certain sections of the General City Law, in relation to the protection of the purchasers of coal."

Also, the bill (No. 1235, Int. No. 1068), entitled "An act to amend the Executive Law, in relation to the payment of counsel employed by the Attorney-General."

Also, the bill (No. 1633, Int. No. 539), entitled "An act to amend chapter fifty-seven of the Laws of eighteen hundred and eighty-three, entitled 'An act for the preservation of public records, maps and papers,' in relation to the compensation of persons employed in such work," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1228, Int. No. 1061), entitled "An act to release to the heirs-at-law of John Elliott all the right, title and interest of the people of the State of New York in and to certain real estate, formerly owned by Matilda Clifton, deceased, in the city of Buffalo," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 1537, Int. No. 1306), entitled "An act to amend the Forest, Fish and Game Law, in relation to appointment of special game protectors and wardens," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 1809, Int. No. 1515), entitled "An act to amend the Forest, Fish and Game Law, in relation to local regulations for the taking of birds or game," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 1540, Int. No. 1309), entitled "An act to amend chapter four hundred and three of the Laws of nineteen hundred and three, entitled 'An act to create and establish a city court in and for the city of Cohoes, to provide for the appointment of the officers thereof, and to regulate the practice in said court,' in relation to the election and term of office of the city judge," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution returning to the

Governor Assembly bill (No. 379, Int. No. 370), entitled "An act to amend the General Business Law, in relation to employment agencies," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *June 14, 1911.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 298, Int. No. 297), entitled "An act to incorporate 'The Pelham Firemen's Association' of the town of Pelham, New York."

JOHN A. DIX.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 19, 1911.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2165, Int. No. 1742), entitled "An act to increase the number of justices of the Supreme Court in the second judicial district of the State, and to provide for additional justices therein."

JOHN A. DIX.

The Senate returned the concurrent resolution in relation to printing additional copies of Assembly bill (No. 2542, Senate Reprint No. 2147, Int. No. 1461), entitled "An act to amend the Election Law, generally," with a message that they have concurred in the passage of the same without amendment.

The Senate returned the concurrent resolution in relation to extending the term of the President of the United States, with a message that they have concurred in the passage of the same without amendment.

Mr. Warren gives notice that on Friday, July 21st, he will move to suspend Assembly Rule No. 6 for the purpose of advancing

ing and passing Assembly bill (No. 2605), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section four of article two of the Constitution, in relation to the registration of voters."

Mr. Hollmann was excused for the day.

On motion of Mr. A. E. Smith, the House adjourned.

FRIDAY, JULY 21, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Foley gives notice that he requests that the Senate bill introduced by Mr. Wagner (No. 2168, Reprint No. 2265, Rec. No. 629), entitled "An act to amend chapter three hundred and sixty of the Laws of nineteen hundred and eleven, entitled 'An act to promote the health and efficiency of policemen in cities of the first and second-class,' " a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Manley gives notice that he requests that the Senate bill introduced by Mr. Ramsperger (No. 2256, Rec. No. 610), entitled "An act making provision for issuing bonds to the amount of not to exceed nineteen million six hundred thousand dollars for the purpose of furnishing proper terminals and facilities for barge canal traffic, including the acquisition and interchange of property therefor, with a view to improving and fostering the commerce of the State, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and eleven," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Shortt gives notice that he requests that the Senate bill introduced by Mr. Bayne (No. 2146, Rec. No. 576), entitled "An act to repeal sections eighteen, nineteen and twenty of the Decedent Estate Law, relating to testamentary gifts to certain corporations and sections eighteen and nineteen of the Membership Corporations Law," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Chanler gives notice that he requests that the Senate bill introduced by Mr. Roosevelt (No. 1766, Rec. No. 563), entitled "An act to amend the Code of Civil Procedure, in relation to actions and proceedings by and against foreign executors and administrators," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Jackson gives notice that he requests that the Senate bill introduced by Mr. Ramsperger (No. 1946, Rec. No. 626), entitled "An act to amend the Agricultural Law, in relation to a bureau of agricultural labor in the city of Buffalo, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Frawley (No. 2104, Rec. No. 585), entitled "An act to provide for a proper representation of the State of New York at the annual convention of the National Guard Association of the United States for the year nineteen hundred and eleven, and reappropriating for such purpose a portion of the unexpended balance of money heretofore appropriated by chapter one hundred and twenty-five of the Laws of nineteen hundred and ten," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Haines gives notice that he requests that the Senate bill

introduced by Mr. Wainwright (No. 1791, Rec. No. 568), entitled "An act to amend the Penal Code, in relation to the equipment and use of motor boats," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Frawley (No. 2244, Rec. No. 614), entitled "An act to amend the Education Law, in relation to the dissolution and liquidation of the affairs of incorporated educational institutions," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Wagner (No. 2214, Rec. No. 603), entitled "An act to amend the Code of Civil Procedure, in relation to current docket-books," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Wagner (No. 2193, Rec. No. 602), entitled "An act to amend the State Charities Law, in relation to admissions to State charitable institutions," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hoey gives notice that he requests that the Senate bill introduced by Mr. Bayne (No. 2055, Rec. No. 615), entitled "An act to amend the Labor Law, in relation to laundries," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Boylan gives notice that he requests that the Senate bill introduced by Mr. McManus (No. 2067, Rec. No. 622), entitled "An act to amend the Labor Law, in relation to mercantile establishments," a copy of which is hereto annexed, be made a special

order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Cheney gives notice that he requests that the Senate bill introduced by Mr. Hamilton (No. 2192, Rec. No. 572), entitled "An act to amend the charter of the city of Jamestown, in relation to the collection, application and distribution of receipts from premiums collected and to be collected from foreign fire insurance companies," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Farrell gives notice that he requests that the Senate bill introduced by Mr. Cronin (No. 470, Rec. No. 399), entitled "An act to amend the Penal Law, relative to misconduct of officers, directors, trustees or employees of banking corporations," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Foley gives notice that he requests that the Senate bill introduced by Mr. Pollock (No. 1927, Rec. No. 625), entitled "An act authorizing the justices of the Appellate Division of the Supreme Court in the first department to retire employees for incapacity and providing for their compensation," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Macdonald gives notice that he requests that the Senate bill introduced by Mr. Coats (No. 2183, Rec. No. 581), entitled "An act to legalize a certain deed from Ella Keith and other grantors to Robert Moody, recorder in the county of Essex, and to legalize such record," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Myers gives notice that he requests that the Senate bill introduced by Mr. White (No. 2134, Rec. No. 613), entitled "An act to amend chapter six hundred and fifty-three of the Laws of

nineteen hundred and six, entitled 'An act to extend the time of the Albany and Schoharie Valley Railroad Company to commence and complete the construction of its railroad,' in relation to the time of such extension," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Goldberg gives notice that he requests that the Senate bill introduced by Mr. Harte (No. 1793, Rec. No. 558), entitled "An act to amend the Tax Law, in relation to taxable transfers," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Gittins (No. 1190, Rec. No. 496), entitled "An act to amend the Education Law, relative to the establishment of scholarships for the aid of students in colleges," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Geatons gives notice that he requests that the Senate bill introduced by Mr. O'Brien (No. 1648, Rec. No. 596), entitled "An act to amend the Agricultural Law, in relation to fungous growths and infectious and contagious diseases affecting trees," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Cuvillier gives notice that he requests that the Senate bill introduced by Mr. McManus (No. 2100, Rec. No. 624), entitled "An act to repeal the various acts relating to the Albany Burgesses Corps," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Haines gives notice that he requests that the Senate bill

introduced by Mr. Wainwright (No. 2090, Rec. No. 612), entitled "An act to amend chapter one hundred and twenty-seven of the Laws of nineteen hundred and eleven, entitled 'An act to provide for a supply of pure and wholesome water for the city of Mount Vernon, and for the acquisition of lands or interests therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters and other appurtenances for that purpose, and for the appointment of a commission with the powers and duties necessary and proper to attain these objects,'" a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Sheide gives notice that he requests that the Senate bill introduced by Mr. Long (No. 2196, Rec. No. 593), entitled "An act to amend the Transportation Corporations Law, in relation to contracts for water supply in the water districts of certain towns," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Frawley (No. 2167, Rec. No. 618), entitled "An act to amend the Tax Law, in relation to the appointment of transfer tax appraisers, stenographers and clerks," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Cuvillier gives notice that he requests that the Senate bill introduced by Mr. Griffin (No. 2225, Rec. No. 620), entitled "An act to amend the Code of Civil Procedure, in relation to depositions taken and to be used within the State," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Brown gives notice that he requests that the Senate bill introduced by Mr. Hewitt (No. 1933, Rec. No. 433), entitled "An act to amend the Highway Law, in relation to establishing a State route in Broome and Cortland counties, from the city of

Binghamton to the city of Cortland," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Cuvillier gives notice that he requests that the Senate bill introduced by Mr. Griffin (No. 1968, Rec. No. 573), entitled "An act to amend the Military Law, in relation to the Coast Artillery Corps," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Donovan gives notice that he requests that the Senate bill introduced by Mr. Black (No. 330, Rec. No. 328), entitled "An act to provide for necessary repairs, improvements and betterments to the State armory in the borough of Brooklyn in the city of New York, occupied by the Forty-seventh Regiment, National Guard, State of New York, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Kennedy gives notice that he requests that the Senate bill introduced by Mr. Harte (No. 2115, Rec. No. 514), entitled "An act to amend the Greater New York charter, in relation to permits for construction of private sewers," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Foley gives notice that he requests that the Senate bill introduced by Mr. Grady (No. 2124, Rec. No. 628), entitled "An act to amend chapter forty-eight of the Laws of eighteen hundred and thirty, entitled 'An act to incorporate the New York Law Institute,' by increasing the amount for which the said corporation may take, hold and convey real estate," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. J. Levy gives notice that he requests that the Senate

bill introduced by Mr. Murtaugh (No. 1769, Rec. No. 561), entitled "An act to amend the Education Law, relative to the acquisition of sites for schoolhouses," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Cuvillier gives notice that he requests that the Senate bill introduced by Mr. Griffin (No. 2226, Rec. No. 634), entitled "An act to amend the Military Law, in relation to the militia council," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Wagner (No. 2224, Rec. No. 601), entitled "An act to amend the Judiciary Law, in relation to exemptions from jury duty in the city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Mork gives notice that he requests that the Senate bill introduced by Mr. Stilwell (No. 2184, Rec. No. 611), entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cede, grant and convey to the United States a site for the erection of a light and fog signal in Hunt's Point Park, borough of the Bronx, New York city," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. M. A. O'Neil gives notice that he requests that the Senate bill introduced by Mr. Black (No. 2188, Rec. No. 575), entitled "An act to amend the Judiciary Law, in relation to the salaries of the clerk and deputy clerk of the Appellate Division of the Supreme Court in the second department," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Patrie gives notice that he requests that the Senate bill

introduced by Mr. Fiero (No. 2068, Rec. No. 503), entitled "An act to amend the Prison Law, relative to the supply of articles manufactured in penal institutions," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Foley gives notice that he requests that the Senate bill introduced by Mr. Gittins (No. 1996, Rec. No. 619), entitled "An act to amend the Education Law, relating to the establishment of State schools for immigrants at places where public works are in course of construction," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Haines gives notice that he requests that the Senate bill introduced by Mr. Wainwright (No. 2126, Rec. No. 636), entitled "An act to enable the commissioner of public safety of the city of Yonkers to review, rehear and determine the charges against James McGowan, formerly a patrolman in the police department of the city of Yonkers, and to reinstate said James McGowan as a patrolman in the said police department," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Goodwin gives notice that he requests that the Senate bill introduced by Mr. Wainwright (No. 2170, Rec. No. 567), entitled "An act to legalize, ratify and confirm all the proceedings of the village of White Plains and of its officers and agents and the qualified voters thereof, relative to the issue of bonds of said village in the amount of nine thousand five hundred dollars, for purchasing apparatus for its fire department and to pay for completion of firehouses in said village, providing for the payment of interest and principal thereof and authorizing the resale of such bonds in case of certain conditions," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Jackson gives notice that he requests that the Senate bill

introduced by Mr. Burd (No. 2237, Rec. No. 579), entitled "An act to establish a commission to inquire into the workings of laws relative to certain loans commonly made at extraordinary rates of interest or charges, also to make recommendations for legislation, and making an appropriation for the expenses of said commission," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Baumes gives notice that he requests that Assembly bill (No. 163, Int. No. 162), entitled "An act to provide for the erection of a new armory building in the city of Newburgh, New York, the acquisition of a site for the same, and making an appropriation therefor; and providing for the sale of the old armory site and building and the application of the proceeds to such new building, and for other purposes relative to the same," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Schifferdecker gives notice that he requests that Assembly bill (No. 1813, Int. No. 1519), entitled "An act to amend chapter ten hundred and thirty-three of the Laws of eighteen hundred and ninety-five, entitled 'An act to incorporate the Metropolis Finance Company of New York,' passed June fifteenth, eighteen hundred and ninety-five," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

A message from the Governor was received and read, in words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 20, 1911.

To the Assembly:

I return herewith, without my approval, Assembly bill (Printed No. 2373), entitled "An act to amend the Code of Civil Procedure, in relation to an action for divorce."

This bill amends the Code of Civil Procedure, in relation to an action for divorce.

The amendment is objected to for the reason that it should apply alike to both guilty parties. As the bill is drafted, it applies to past transactions as well as those occurring in the future. It is probably of doubtful constitutionality, inasmuch as it tries to modify and regulate existing contracts.

For these reasons I disapprove the bill.

JOHN A. DIX.

On motion of Mr. Merritt, said message together with said bill was ordered laid upon the table.

A message from the Governor by the hand of his secretary was received and read, in words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 21, 1911.*

To the Legislature:

As you have been informed by previous messages, the appropriations of last year's administration amounted to \$42,975,000, and it is estimated by the Comptroller that the income for the year against which such appropriations were made will not greatly exceed \$36,000,000, and that there will be a cash deficit at the close of the current year. While your efforts toward economy will apparently result in a substantial decrease in the expenditures, and it is hoped that the new revenue bills under consideration by you will substantially increase the revenue, it is not, in my judgment, safe to face a deficit in reliance upon revenue coming from new forms of indirect taxation. A conservative estimate of the income from indirect taxation and miscellaneous sources in the coming year places the revenue at \$38,000,000, including proceeds from new taxes if they shall be adopted.

The Constitution of this State provides that the Legislature by "law shall impose and provide for the collection of a direct annual tax to pay and sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal of such debt within fifty years of the time of the contracting thereof." While this provision does not specifically appear in the so-called highway amendment, it is believed that it applies equally to the debts created under that amendment. The interest and sinking fund charges for the year ending September 30, 1911, amount to \$2,907,943.06. These charges for the year ending September 30, 1912, are estimated at \$4,125,000. The increase in this item of annual expenditures will be rapid with the additions caused to the State debt by the issuance of bonds for canal and highway purposes. It does not seem that the resources of the State in the way

of indirect taxation and miscellaneous receipts will be sufficient to keep pace with the normal growth of the State's activities, and at the same time provide for the certain increase in interest and sinking fund charges. It seems, therefore, the part of wisdom, as well as your constitutional duty, to provide by direct tax for meeting these charges. With the amount necessary to meet these charges for the coming year, and the slight addition intended to cover the estimated deficit, I consider that the revenue of the State for the year ending September 30, 1912, will be satisfactorily provided for.

A bill has been introduced providing for such action and constituting in the aggregate a direct tax of six-tenths of a mill, and I recommend its passage.

JOHN A. DIX.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Wagner (No. 2168, Reprint No. 2265, Rec. No. 629), entitled "An act to amend chapter three hundred and sixty of the Laws of nineteen hundred and eleven, entitled 'An act to promote the health and efficiency of policemen in cities of the first and second class.'"

Also, Senate bill introduced by Mr. Ramsperger (No. 2256, Rec. No. 610), entitled "An act making provision for issuing bonds to the amount of not to exceed nineteen million six hundred thousand dollars for the purpose of furnishing proper terminals and facilities for barge canal traffic, including the acquisition and interchange of property therefor, with a view to improving and fostering the commerce of the State, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and eleven."

Also, Senate bill (No. 1766, Rec. No. 563), entitled "An act to amend the Code of Civil Procedure, in relation to actions and proceedings by and against foreign executors and administrators."

Also, Senate bill introduced by Mr. Bayne (No. 2146, Rec. No. 576), entitled "An act to repeal sections eighteen, nineteen and twenty of the Decedent Estate Law, relating to testamentary gifts to certain corporations, and sections eighteen and nineteen of the Membership Corporations Law."

Also, Senate bill introduced by Mr. Frawley (No. 2104, Rec. No. 585), entitled "An act to provide for a proper representation of the State of New York at the annual convention of the National Guard Association of the United States for the year nineteen hundred and eleven, and reappropriating for such purpose a portion of the unexpended balance of money heretofore appropriated by chapter one hundred and twenty-five of the Laws of nineteen hundred and ten."

Also, Senate bill introduced by Mr. Ramsperger (No. 2146, Rec. No. 626), entitled "An act to amend the Agricultural Law, in relation to a bureau of agricultural labor in the city of Buffalo, and making an appropriation therefor."

Also, Senate bill introduced by Mr. Wainwright (No. 1791, Rec. No. 568), entitled "An act to amend the Penal Law, in relation to the equipment and use of motor boats."

Also, Senate bill introduced by Mr. Frawley (No. 2244, Rec. No. 614), entitled "An act to amend the Education Law, in relation to the dissolution and liquidation of the affairs of incorporated educational institutions."

Also, Senate bill introduced by Mr. Wagner (No. 2214, Rec. No. 603), entitled "An act to amend the Code of Civil Procedure, in relation to current docket-books."

Also, Senate bill introduced by Mr. Wagner (No. 2193, Rec. No. 602), entitled "An act to amend the State Charities Law, in relation to admissions to the State charitable institutions."

Also, Senate bill introduced by Mr. Bayne (No. 2055, Rec. No. 615), entitled "An act to amend the Labor Law, in relation to laundries."

Also, Senate bill introduced by Mr. McManus (No. 2067, Rec. No. 622), entitled "An act to amend the Labor Law, in relation to mercantile establishments."

Also, Senate bill introduced by Mr. Hamilton (No. 2192, Rec. No. 572), entitled "An act to amend the charter of the city of Jamestown, in relation to the collection, application and distribution of receipts from premiums collected and to be collected from foreign fire insurance companies."

Also, Senate bill introduced by Mr. Cronin (No. 470, Rec. No. 399), entitled "An act to amend the Penal Law, relative to mis-

conduct of officers, directors, trustees or employees of banking corporations."

Also, Senate bill introduced by Mr. Pollock (No. 1927, Rec. No. 625), entitled "An act authorizing the justices of the Appellate Division of the Supreme Court in the first department to retire employees for incapacity, and providing for their compensation."

Also, Senate bill introduced by Mr. Coats (No. 2183, Rec. No. 581), entitled "An act to legalize a certain deed from Ella Keith and other grantors to Robert Moody, recorder in the county of Essex, and to legalize such record."

Also, Senate bill introduced by Mr. White (No. 2134, Rec. No. 613), entitled "An act to amend chapter six hundred and fifty-three of the Laws of nineteen hundred and six, entitled 'An act to extend the time of the Albany and Schoharie Valley Railroad Company to commence and complete the construction of its railroad,' in relation to the time of such extension."

Also, Senate bill introduced by Mr. Harte (No. 1793, Rec. No. 558), entitled "An act to amend the Tax Law, in relation to taxable transfers."

Also, Senate bill introduced by Mr. Gittins (No. 1190, Rec. No. 496), entitled "An act to amend the Education Law, relative to the establishment of scholarships for the aid of students in colleges."

Also, Senate bill introduced by Mr. O'Brien (No. 2211, Rec. No. 596), entitled "An act to amend the Agricultural Law, in relation to fungous growths and infectious and contagious diseases affecting trees."

Also, Senate bill introduced by Mr. McManus (No. 2100, Rec. No. 624), entitled "An act to repeal the various acts relating to the Albany Burgesses Corps."

Also, Senate bill introduced by Mr. Wainwright (No. 2090, Rec. No. 612), entitled "An act to amend chapter one hundred and twenty-seven of the Laws of nineteen hundred and eleven, entitled 'An act to provide for a supply of pure and wholesome water for the city of Mount Vernon, and for the acquisition of lands or interests therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters and other appurtenances

for that purpose, and for the appointment of a commission with the powers and duties necessary and proper to attain these objects."

Also, Senate bill introduced by Mr. Long (No. 2196, Rec. No. 593), entitled "An act to amend the Transportation Corporations Law, in relation to contracts for water supply in the water districts of certain towns."

Also, Senate bill introduced by Mr. Frawley (No. 2167, Rec. No. 618), entitled "An act to amend the Tax Law, in relation to the appointment of transfer tax appraisers, stenographers and clerks."

Also, Senate bill introduced by Mr. Griffin (No. 2225, Rec. No. 620), entitled "An act to amend the Code of Civil Procedure, in relation to depositions taken and to be used within the State."

Also, Senate bill introduced by Mr. Hewitt (No. 1933, Rec. No. 433), entitled "An act to amend the Highway Law, in relation to establishing a State route in Broome and Cortland counties, from the city of Binghamton to the city of Cortland."

Also, Senate bill introduced by Mr. Griffin (No. 1968, Rec. No. 573), entitled "An act to amend the Military Law, in relation to the Coast Artillery Corps."

Also, Senate bill introduced by Mr. Black (No. 330, Rec. No. 328), entitled "An act to provide for necessary repairs, improvements and betterments to the State armory in the borough of Brooklyn in the city of New York, occupied by the Forty-seventh Regiment, National Guard, State of New York, and making an appropriation therefor."

Also, Senate bill introduced by Mr. Harte (No. 2115, Rec. No. 514), entitled "An act to amend the Greater New York charter, in relation to permits for construction of private sewers."

Also, Senate bill introduced by Mr. Grady (No. 2124, Rec. No. 628), entitled "An act to amend chapter forty-eight of the Laws of eighteen hundred and thirty, entitled 'An act to incorporate the New York Law Institute,' by increasing the amount for which the said corporation may take, hold and convey real estate."

Also, Senate bill introduced by Mr. Murtaugh (No. 1769, Rec. No. 561), entitled "An act to amend the Education Law, relative to the acquisition of sites for schoolhouses."

Also, Senate bill introduced by Mr. Griffin (No. 2226, Rec. No. 634), entitled "An act to amend the Military Law, in relation to the militia council."

Also, Senate bill introduced by Mr. Wagner (No. 2224, Rec. No. 601), entitled "An act to amend the Judiciary Law, in relation to the exemptions from jury duty in the city of New York."

Also, Senate bill introduced by Mr. Stilwell (No. 2184, Rec. No. 611), entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cede, grant and convey to the United States a site for the erection of a light and fog signal in Hunt's Point park, borough of the Bronx, New York city."

Also, Senate bill introduced by Mr. Black (No. 2188, Rec. No. 575), entitled "An act to amend the Judiciary Law, in relation to the salaries of the clerk and deputy clerk of the Appellate Division of the Supreme Court in the second department."

Also, Senate bill introduced by Mr. Fiero (No. 2068, Rec. No. 503), entitled "An act to amend the Prison Law, relative to the supply of articles manufactured in penal institutions."

Also, Senate bill introduced by Mr. Gittins (No. 1996, Rec. No. 619), entitled "An act to amend the Education Law, relating to the establishment of State schools for immigrants at places where public works are in course of construction."

Also, Senate bill introduced by Mr. Wainwright (No. 2126, Rec. No. 636), entitled "An act to enable the commissioner of public safety of the city of Yonkers to review, rehear and determine the charges against James McGowan, formerly a patrolman in the police department of the city of Yonkers, and to reinstate said James McGowan as a patrolman in the said police department."

Also, Senate bill introduced by Mr. Wainwright (No. 2170, Rec. No. 567), entitled "An act to legalize, ratify and confirm all the proceedings of the village of White Plains and of its officers and agents and the qualified voters thereof, relative to the issue of bonds of said village in the amount of nine thousand five hundred dollars, for purchasing apparatus for its fire department and to pay for completion of firehouses in said village, providing for the payment of interest and principal thereof and authorizing the resale of such bonds in case of certain conditions."

Also, Senate bill introduced by Mr. Burd (No. 2237, Rec. No. 579), entitled "An act to establish a commission to inquire into the workings of laws relative to certain loans commonly made at extraordinary rates of interest or charges, also to make recommendations for legislation, and making an appropriation for the expenses of said commission," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Baumes (No. 163, Int. No. 162), entitled "An act to provide for the erection of a new armory building in the city of Newburgh, New York, the acquisition of a site for the same, and making an appropriation therefor; and providing for the sale of the old armory site and building and the application of the proceeds to such new building; and for other purposes relative to the same," reported in favor of the passage of the same without amendment, and that the same be made a special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bill ordered made a special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Schifferdecker (No. 1813, Int. No. 1519), entitled "An act to amend chapter ten hundred and thirty-three of the Laws of eighteen hundred and ninety-five, entitled 'An act to incorporate the Metropolis Finance Company of New York,' passed June fifteenth, eighteen hundred and ninety-five," reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bill ordered made a special order on third reading immediately.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to establish a normal and training school in the county of Westchester, and making an appropriation therefor." (No. 1197, Int. No. 1032.)

"An act to amend the State Boards and Commissions Law, in relation to creating the Interstate Bridge Commission and defining its powers and duties, and making an appropriation therefor." (No. 947, Int. No. 856.)

"An act to amend the Election Law, in relation to registration and the organization of boards of electors." (No. 2600, Int. No. 1954.)

"An act to provide for the construction of a bridge over the barge canal at the city of Fulton, and making an appropriation therefor." (Int. No. 2606, Int. No. 1048.)

"An act to amend chapter ten hundred and thirty-three of the Laws of eighteen hundred and ninety-five, entitled 'An act to incorporate the Metropolis Finance Company of New York,' passed June fifteenth, eighteen hundred and ninety-five." (No. 1813, Int. No. 1519.)

"An act to provide for the erection of a new armory building in the city of Newburgh, New York, the acquisition of a site for the same, and making an appropriation therefor; and providing for the sale of the old armory site and building and the application of the proceeds to such new building, and for other purposes relative to the same." (No. 163, Int. No. 162.)

Mr. Donnelly offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 2165, Int. No. 1742), entitled "An act to increase the number of justices of the Supreme Court in the second judicial district of the State, and to provide for additional justices therein," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the Assembly bill (No. 1424, Senate Reprint No. 2220, Int. No. 1208), entitled "An act to amend the Greater New York charter, in relation to the registration of births not previously recorded," with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 11, after the word "reside" insert the following: "If the physician or midwife, as the case may be, who attended professionally at any such birth is dead or cannot be found after due diligence the application to record such delayed birth certificate shall, in addition to the affidavits above mentioned, be accompanied by a certificate signed by the father, mother or guardian upon a form prescribed by the said department of health.

"Such application and papers to record any such birth must also state in detail the efforts made to locate any such physician or midwife who cannot, as aforesaid, be found after due diligence or be accompanied by proof of death when such fact is known to the applicant.

"The application must be made within ten years from the date of birth, and no such birth shall be recorded without proof satisfactory to and upon the approval of the commissioner of health of all the facts and circumstances required to be stated in the application and papers mentioned herein."

Page 2, line 23, strike out the word "if" at the end of said line.

Page 2, strike out lines 24, 25 and 26.

Page 3, strike out lines 1 to 16, inclusive.

Mr. Brooks moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|-------------|-----------|
| Adler | Donnelly | Hearn | Merritt | Shortt |
| Allen | Donovan | Herrick J J | Miller | Smith A E |
| Baumes | Drummond | Higgins | Moneczynski | Smith T K |
| Beach | Egan | Hinman | Mork | Spielberg |
| Blauvelt | Evans | Hoey | Murray | Stivers |
| Boylan | Farrell | Hoyt | Myers | Sweet |

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Brace | Fay | Huber | Neupert | Talmage |
| Brennan | Filley | Jackson | Nolan | Terry |
| Bridenbecker | Fitzpatrick | Jameson | Oliver | Thorn |
| Brooks | Foley | Jones | O'Neill J J | Trombly |
| Brown | Friedman | Kennedy | O'Neil M A | Ward |
| Bryant | Geatons | Kopp | Pappert | Waring |
| Bush | Gerhardt | Lansing | Parker A | Warren |
| Carew | Gerken | LaReau | Parker J S | Waters R B |
| Chanler | Gillen | Levy A J | Patrie | Weil |
| Cheney | Goldberg | Levy J | Phillips C W | Wende |
| Coffey | Goodwin | Macdonald | Phillips J S | Wheeler |
| Collin | Gould | MacGregor | Saunders | White |
| Colné | Graubard | Manley | Schifferdecker | Wilson |
| Constantine | Gregg | Martin | Seeley | Winters |
| Cosad | Gurnett | McCue | Shannon | Yale |
| Cross | Hackett | McDaniels | Sheide | Yeomans |
| Cuvillier | Haines | McElligott | Shepardso | Young |
| Day | Hammond | McGrath | Shlivek | Zorn |
| DeLano | Hart | McKeon | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1143, Senate Reprint No. 2219, Int. No. 1017), entitled "An act authorizing the board of assessors of the city of New York to determine and allow damages sustained by owners of real property in the city of New York by reason of the change of grade on any street in said city caused by the improvement of the Queens borough bridge," with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 4, at the beginning of said line strike out the words "real property", and insert in place thereof the word "land".

Page 1, line 6, at the end of said line strike out the words "Interest shall".

Page 2, strike out all of page 2 and insert the following: "Provided, however, that no award shall be made unless buildings or improvements have been erected upon said land prior to such change of grade and in substantial conformity with the grade established at the time of such erection, and the damages allowed, if any, shall be limited to damages, without interest, to such buildings or improvements. Provided, that no damages shall be awarded in any case where a claim in writing therefor has not been filed with the board of assessors within six months from the time when this acts takes effect.

"§ 2. Said board of assessors, after the amount of such damages has been fixed and allowed by them as aforesaid, shall file a certificate, in writing, of the amount of such allowance, with the comptroller of the city of New York.

"Said comptroller of said city shall, from time to time, when directed by the board of estimate and apportionment, issue and sell corporate stock of said city or certificate of indebtedness to the amount of such awards and shall pay said awards out of the proceeds thereof.

"§ 3. This act shall take effect immediately."

Mr. Zorn moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Hearn | Merritt | Shortt |
| Allen | Donovan | Herrick J J | Miller | Smith A E |
| Baumes | Drummond | Higgins | Monczynski | Smith T K |
| Beach | Egan | Hinman | Mork | Spielberg |
| Blauvelt | Evans | Hoey | Murray | Stivers |
| Boylan | Farrell | Hoyt | Myers | Sweet |
| Brace | Fay | Huber | Neupert | Talmage |
| Brennan | Filley | Jackson | Nolan | Terry |
| Bridenbecker | Fitzpatrick | Jameson | Oliver | Thorn |
| Brooks | Foley | Jones | O'Neill J J | Trombly |
| Brown | Friedman | Kennedy | O'Neil M A | Ward |
| Bryant | Geatons | Kopp | Pappert | Waring |
| Bush | Gerhardt | Lansing | Parker A | Warren |
| Carew | Gerken | LaReau | Parker J S | Waters R B |
| Chanler | Gillen | Levy A J | Patrie | Weil |
| Cheney | Goldberg | Levy J | Phillips C W | Wende |
| Coffey | Goodwin | Macdonald | Phillips J S | Wheeler |
| Collin | Gould | MacGregor | Saunders | White |
| Colné | Graubard | Manley | Schifferdecker | Wilson |
| Constantine | Gregg | Martin | Seeley | Winters |
| Cosad | Gurnett | McCue | Shannon | Yale |
| Cross | Hackett | McDaniels | Sheide | Yeomans |
| Cuvillier | Haines | McElligott | Shepardson | Young |
| Day | Hammond | McGrath | Shlivek | Zorn |
| DeLano | Hart | McKeon | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2476, Senate Reprint No. 2039, Int. No. 1703), entitled "An act to amend the Labor Law, by providing for the licensing and regulation of im-

migrant lodging-places," with a message that they have concurred in the passage of the same, with the following amendment:

Page 5, line 3, after the word "corporation" add the following in italics: "Nothing contained herein shall be held to apply to temporary sleeping quarters in labor or construction camps."

Mr. Foley moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Hearn | Merritt | Shortt |
| Allen | Donovan | Herrick J J | Miller | Smith A E |
| Baumes | Drummond | Higgins | Monczynski | Smith T K |
| Beach | Egan | Hinman | Mork | Spielberg |
| Blauvelt | Evans | Hoey | Murray | Stivers |
| Boylan | Farrell | Hoyt | Myers | Sweet |
| Brace | Fay | Huber | Neupert | Talmage |
| Brennan | Filley | Jackson | Nolan | Terry |
| Bridenbecker | Fitzpatrick | Jameson | Oliver | Thorn |
| Brooks | Foley | Jones | O'Neill J J | Trombly |
| Brown | Friedman | Kennedy | O'Neil M A | Ward |
| Bryant | Geatons | Kopp | Pappert | Waring |
| Bush | Gerhardt | Lansing | Parker A | Warren |
| Carew | Gerken | LaReau | Parker J S | Waters R B |
| Chanler | Gillen | Levy A J | Patrie | Weil |
| Cheney | Goldberg | Levy J | Phillips C W | Wende |
| Coffey | Goodwin | Macdonald | Phillips J S | Wheeler |
| Collin | Gould | MacGregor | Saunders | White |
| Colné | Graubard | Manley | Schifferdecker | Wilson |
| Constantine | Gregg | Martin | Seeley | Winters |
| Cosad | Gurnett | McCue | Shannon | Yale |
| Cross | Hackett | McDaniels | Sheide | Yeomans |
| Cuvillier | Haines | McElligott | Shepardson | Young |
| Day | Hammond | McGrath | Shlivek | Zorn |
| DeLano | Hart | McKeon | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 1604, Senate Reprint No. 2120, Int. No. 1348), entitled "An act to amend the General Business Law, in relation to auctioneers and sales at auc-

tion in the city of New York," with a message that they have concurred in the passage of the same, with the following amendment:

Page 2, line 5, strike out the word "six" at the end of said line, and insert in place thereof the word "eight".

Mr. Gurnett moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Hearn | Merritt | Shortt |
| Allen | Donovan | Herrick J J | Miller | Smith A E |
| Baumes | Drummond | Higgins | Monczynski | Smith T K |
| Beach | Egan | Hinman | Mork | Spielberg |
| Blauvelt | Evans | Hoey | Murray | Stivers |
| Boylan | Farrell | Hoyt | Myers | Sweet |
| Brace | Fay | Huber | Neupert | Talmage |
| Brennan | Filley | Jackson | Nolan | Terry |
| Bridenbecker | Fitzpatrick | Jameson | Oliver | Thorn |
| Brooks | Foley | Jones | O'Neill J J | Trombly |
| Brown | Friedman | Kennedy | O'Neil M A | Ward |
| Bryant | Geatons | Kopp | Pappert | Waring |
| Bush | Gerhardt | Lansing | Parker A | Warren |
| Carew | Gerken | LaReau | Parker J S | Waters R B |
| Chanler | Gillen | Levy A J | Patrie | Weil |
| Cheney | Goldberg | Levy J | Phillips C W | Wende |
| Coffey | Goodwin | Macdonald | Phillips J S | Wheeler |
| Collin | Gould | MacGregor | Saunders | White |
| Colné | Graubard | Manley | Schifferdecker | Wilson |
| Constantine | Gregg | Martin | Seeley | Winters |
| Cosad | Gurnett | McCue | Shannon | Yale |
| Cross | Hackett | McDaniels | Sheide | Yeomans |
| Cuvillier | Haines | McElligott | Shepardson | Young |
| Day | Hammond | McGrath | Shlivek | Zorn |
| DeLano | Hart | McKeon | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 1895, Senate Reprint No. 2218, Int. No. 1569), entitled "An act to amend the Greater New York charter, in relation to the jurisdiction of commissioner of parks of the boroughs of Brooklyn and Queens over

certain streets," with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 3, after the word " the ", first appearing, strike out the remainder of said line.

Page 2, line 4, strike out the said line, and insert in place thereof the words " park board ".

Mr. Fitzpatrick moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Hearn | Merritt | Shortt |
| Allen | Donovan | Herrick J J | Miller | Smith A E |
| Baumes | Drummond | Higgins | Monczynski | Smith T K |
| Beach | Egan | Hinman | Mork | Spielberg |
| Blauvelt | Evans | Hoey | Murray | Stivers |
| Boylan | Farrell | Hoyt | Myers | Sweet |
| Brace | Fay | Huber | Neupert | Talmage |
| Brennan | Filley | Jackson | Nolan | Terry |
| Bridenbecker | Fitzpatrick | Jameson | Oliver | Thorn |
| Brooks | Foley | Jones | O'Neill J J | Trombly |
| Brown | Friedman | Kennedy | O'Neil M A | Ward |
| Bryant | Geatons | Kopp | Pappert | Waring |
| Bush | Gerhardt | Lansing | Parker A | Warren |
| Carew | Gerken | LaReau | Parker J S | Waters R B |
| Chanler | Gillen | Levy A J | Patrie | Weil |
| Cheney | Goldberg | Levy J | Phillips C W | Wende |
| Coffey | Goodwin | Macdonald | Phillips J S | Wheeler |
| Collin | Gould | MacGregor | Saunders | White |
| Colné | Graubard | Manley | Schifferdecker | Wilson |
| Constantine | Gregg | Martin | Seeley | Winters |
| Cosad | Gurnett | McCue | Shannon | Yale |
| Cross | Hackett | McDaniels | Sheide | Yeomans |
| Cuvillier | Haines | McElligott | Shepardson | Young |
| Day | Hammond | McGrath | Shlivek | Zorn |
| DeLano | Hart | McKeon | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 781, Senate Reprint No. 2129, Int. No. 714), entitled "An act to amend the

Agricultural Law, in relation to manufacture and sale of spirits of turpentine, turpentine, and linseed and flaxseed oil," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 7, after the word "package" insert "and invoices to be marked", and strike out "to be marked invoices".

On page 1, line 9, after the word "turpentine" insert the following: "or wood turpentine".

On page 2, line 3, after word "distilled" insert "or derived".

On page 2, line 3, change "[rosin]" to "[resin]".

On page 2, line 5, at the beginning of said line italicize the words "or derived"; strike out the brackets around the word "resin" and italicize the said word; strike out the brackets around the comma after the word "gum".

Page 2, line 17, strike out the word "oid" and insert in place thereof the word "oil".

Page 3, line 25, strike out the word "turnpentine" and insert in italics in place thereof the word "turpentine".

Mr. McCue moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Donnelly | Hearn | Merritt | Shortt |
| Allen | Donovan | Herrick J J | Miller | Smith A E |
| Baumes | Drummond | Higgins | Monczynski | Smith T K |
| Beach | Egan | Hinman | Mork | Spielberg |
| Blauvelt | Evans | Hoey | Murray | Stive s |
| Boylan | Farrell | Hoyt | Myers | Sweet |
| Brace | Fay | Huber | Neupert | Talmage |
| Brennan | Filley | Jackson | Nolan | Terry |
| Bridenbecker | Fitzpatrick | Jameson | Oliver | Thorn |
| Brooks | Foley | Jones | O'Neill J J | Trombly |
| Brown | Friedman | Kennedy | O'Neil M A | Ward |
| Bryant | Geatons | Kopp | Pappert | Waing |
| Bush | Gerhardt | Lansing | Parker A | Warren |
| Carew | Gerken | LaReau | Parker J S | Waters R B |
| Chanler | Gillen | Levy A J | Patrie | Weil |
| Cheney | Goldberg | Levy J | Phillips C W | Wende |
| Coffey | Goodwin | Macdonald | Phillips J S | Wheeler |
| Collin | Gould | MacGregor | Saunders | White |

| | | | | |
|-------------|----------|------------|----------------|---------|
| Colné | Graubard | Manley | Schifferdecker | Wilson |
| Constantine | Gregg | Martin | Seeley | Winters |
| Cosad | Gurnett | McCue | Shannon | Yale |
| Cross | Hackett | McDaniels | Sheide | Yeomans |
| Cuvillier | Haines | McElligott | Shepardson | Young |
| Day | Hammond | McGrath | Shlivek | Zorn |
| DeLano | Hart | McKeon | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 605, Senate Reprint No. 2171, Int. No. 104), entitled "An act to amend the Military Law, in relation to the military secretary to the Governor," with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 3, strike out the brackets around the word "sixteen".

Page 2, line 3, strike out the word in italics "eighteen".

Mr. Cuvillier moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Donnelly | Hearn | McKeon | Smith A E |
| Allen | Donovan | Herrick J J | Merritt | Smith T K |
| Baumes | Drummond | Herrick W R | Miller | Spielberg |
| Beach | Egan | Higgins | Monczynski | Stivers |
| Blauvelt | Evans | Hinman | Mork | Sweet |
| Boylan | Farrell | Hoey | Murray | Talmage |
| Brace | Fay | Hoff | Myers | Terry |
| Brennan | Filley | Hollmann | Neupert | Thorn |
| Brereton | Fitzpatrick | Hoyt | Nolan | Trombly |
| Bridenbecker | Foley | Huber | Oliver | Turley |
| Brooks | Friedman | Jackson | O'Neill J J | Walker |
| Brown | Geatons | Jameson | O'Neil M A | Ward |
| Bryant | Gerhardt | Jones | Pappert | Waring |
| Bush | Gerken | Kennedy | Parker A | Warren |
| Carew | Gillen | Kopp | Parker J S | Washburn |
| Caughlan | Goldberg | Lansing | Patrie | Waters F A |
| Chanler | Goldstein | LaReau | Phillips C W | Waters R B |
| Cheney | Goodman | Levy A J | Phillips J S | Weil |
| Coffey | Goodwin | Levy J | Saunders | Wende |

| | | | | |
|-------------|----------|------------|----------------|---------|
| Collin | Gould | Macdonald | Schifferdecker | Wheeler |
| Colné | Graubard | MacGregor | Seeley | Wilson |
| Constantine | Gregg | Manley | Shannon | Winters |
| Cosad | Gurnett | Martin | Sheide | Yale |
| Cross | Hackett | McCue | Shepardson | Yeomans |
| Cuvillier | Haines | McDaniels | Shlivek | Young |
| Day | Hammond | McElligott | Shortt | Zorn |
| DeLano | Hart | McGrath | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2078, Senate Reprint No. 2092, Int. No. 1690), entitled "An act to amend the Liquor Tax Law, in relation to sales of liquor to United States soldiers and cadets," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, in the title, strike out after the words "United States" the words "soldiers and".

On page 1, line 7, after the words "United States" strike out the words "soldiers and".

On page 2, line 2, after the words "United States" strike out the words "soldiers or".

On page 2, line 3, after the words "United States" strike out the words "soldiers or".

On page 2, line 4, strike out semi-colon and insert period.

On page 2, line 4, strike out the words "nor shall it be lawful for any person whether have —".

On page 2, strike out all of lines 5, 6, 7, 8 and 9.

Mr. Cuvillier moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Adler | Donnelly | Hearn | McKeon | Smith A E |
| Allen | Donovan | Herrick J J | Merritt | Smith T K |
| Baumes | Drummond | Herrick W R | Miller | Spielberg |
| Beach | Egan | Heyman | Monczynski | Stivers |
| Blauvelt | Evans | Higgins | Mork | Sweet |

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Boylan | Farrell | Hinman | Murray | Talmage |
| Brace | Fay | Hoey | Myers | Terry |
| Brennan | Filley | Hoff | Neupert | Thorn |
| Brereton | Fitzpatrick | Hoyt | Nolan | Trombly |
| Bridenbecker | Foley | Huber | Oliver | Turley |
| Brooks | Friedman | Jackson | O'Neill J J | Walker |
| Brown | Geatons | Jameson | O'Neil M A | Ward |
| Bryant | Gerhardt | Jones | Pappert | Waring |
| Bush | Gerken | Kennedy | Parker A | Warren |
| Carew | Gillen | Kopp | Parker J S | Washburn |
| Caughlan | Goldberg | Lansing | Patrie | Waters F A |
| Chanler | Goldstein | LaReau | Phillips C W | Waters R B |
| Cheney | Goodman | Levy A J | Phillips J S | Weil |
| Coffey | Goodwin | Levy J | Pierce | Wende |
| Collin | Gould | Macdonald | Saunders | Wheeler |
| Colné | Graubard | MacGregor | Schifferdecker | Wilson |
| Constantine | Gregg | Manley | Seeley | Winters |
| Cosad | Gurnett | Martin | Shannon | Yale |
| Cross | Hackett | McCue | Sheide | Yeomans |
| Cuvillier | Haines | McDaniels | Shepardson | Young |
| Day | Hammond | McElligott | Shlivek | Zorn |
| DeLano | Hart | McGrath | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donovan | Herrick J J | McGrath | Shortt |
| Allen | Drummond | Herrick W R | McKeon | Smith A E |
| Baumes | Egan | Higgins | Merritt | Smith T K |
| Beach | Evans | Hinman | Miller | Spielberg |
| Blauvelt | Farrell | Hoey | Monczynski | Stivers |
| Boylan | Fay | Hoff | Mork | Sullivan |
| Brace | Filley | Hoyt | Murray | Sweet |
| Brennan | Fitzpatrick | Huber | Myers | Terry |
| Bridenbecker | Foley | Jackson | Neupert | Thorn |
| Brooks | Friedman | Jameson | Nolan | Trombly |
| Brown | Geatons | Jones | O'Neill J J | Ward |
| Bryant | Gerken | Kennedy | O'Neil M A | Warren |
| Bush | Gillen | Kopp | Pappert | Waters F A |
| Carew | Goldberg | Lansing | Parker A | Waters R B |
| Chanler | Goodman | LaReau | Parker J S | Weil |
| Coffey | Goodwin | Levy A J | Patrie | Wende |
| Collin | Gould | Levy J | Phillips C W | Wheeler |
| Colné | Graubard | Macdonald | Phillips J S | Wilson |
| Constantine | Gregg | MacGregor | Saunders | Winters |
| Cosad | Gurnett | Manley | Schifferdecker | Yale |
| Cross | Hackett | Martin | Seeley | Yeomans |
| Cuvillier | Haines | McCue | Shannon | Young |
| Day | Hammond | McDaniels | Sheide | Zorn |
| DeLano | Hart | McElligott | Shepardson | Speaker |
| Donnelly | Hearn | | | |

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 2020, Assembly Reprint No. 2602, Rec. No. 477), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' generally."

On motion of Mr. Hackett, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hammond | McDaniels | Shlivek |
| Ahern | Donnelly | Hart | McElligott | Shortt |
| Allen | Donovan | Hearn | McGrath | Smith A E |
| Baumes | Drummond | Herrick J J | McKcon | Smith T K |
| Beach | Egan | Higgins | Merritt | Spielberg |
| Blauvelt | Evans | Hinman | Miller | Stivers |
| Boylan | Farrell | Hoey | Monczynski | Sweet |
| Brace | Fay | Hoyt | Mork | Talmage |
| Brennan | Filley | Huber | Murray | Terry |
| Bridenbecker | Fitzpatrick | Jackson | Myers | Thorn |
| Brooks | Foley | Jameson | Neupert | Trombly |
| Brown | Friedman | Jones | Nolan | Waring |
| Bryant | Geatons | Kennedy | O'Neill J J | Warren |
| Bush | Gerhardt | Keys | O'Neil M A | Waters R B |
| Carew | Gerken | Kopp | Pappert | Weil |
| Chanler | Gillen | Lansing | Parker A | Wende |
| Cheney | Goldberg | LaReau | Parker J S | Wheeler |
| Coffey | Goodwin | Levy A J | Patrie | White |
| Collin | Gould | Levy J | Phillips C W | Wilson |
| Colné | Graubard | Macdonald | Phillips J S | Winters |
| Constantine | Gregg | MacGregor | Schifferdecker | Yale |
| Cosad | Gurnett | Manley | Seeley | Yeomans |

Cross
Cuvillier
Day

Hackett
Haines

Martin
McCue

Shannon
Shepardson

Young
Zorn

In the negative:

Ward

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the bill (No. 2570, Int. No. 1006), entitled "An act to amend chapter five hundred and fifty-seven, Laws of eighteen hundred and ninety-four, entitled 'An act to provide for a commission of jurors in counties containing cities of from ninety to ninety-six thousand inhabitants,' in relation to excepting the county of Rensselaer from the operation thereof, and to terminate the office, powers and duties of the present commissioners of jurors in such county."

Said bill having been announced for a second reading,

On motion of Mr. Patrie, said bill was recommitted to the committee on rules.

Mr. Speaker announced the special order, being the Senate bill (No. 1883, Rec. No. 586), entitled "An act to amend the Insurance Law, by providing that fire insurance companies may not issue policies of fire insurance under any name other than their corporate titles."

Said bill having been announced for a second reading,

On motion of Mr. Hoey, said bill was recommitted to the committee on rules.

Mr. Speaker announced the special order, being the Senate bill (No. 154, Rec. No. 129), entitled "An act to amend the Civil Service Law, in relation to power of municipal commissions to conduct investigations."

On motion of Mr. MacGregor, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 51

NOES 35

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|----------|------------|-----------|
| Baumes | Colné | Goodman | MacGregor | Smith A E |
| Beach | Constantine | Goodwin | McDaniels | Spielberg |
| Blauvelt | Cosad | Gregg | Merritt | Stivers |
| Bridenbecker | Day | Higgins | Mork | Terry |
| Brooks | Drummond | Hoff | Murray | Thorn |
| Brown | Evans | Hoyt | Pappert | Trombly |
| Bush | Foley | Huber | Patrie | Warren |
| Carew | Friedman | Jones | Saunders | Weil |
| Caughlan | Gerhardt | Kennedy | Shepardson | Wheeler |
| Chanler | Goldberg | Levy A J | Shortt | Winters |
| Collin | | | | |

Those who voted in the negative were:

| | | | | |
|-----------|-------------|-------------|----------------|---------|
| Boylan | Fitzpatrick | Hearn | McKeon | Seeley |
| Cuvillier | Geatons | Herriek J J | Monczynski | Shannon |
| DeLano | Gerken | Hoey | Neupert | Turley |
| Donnelly | Gillen | Martin | Nolan | Walker |
| Donovan | Gould | McCue | O'Neil M A | Yale |
| Egan | Graubard | McElligott | Phillips J S | Young |
| Farrell | Hackett | McGrath | Schifferdecker | Zorn |

Mr. MacGregor moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 2115, Rec. No. 514), entitled "An act to amend the Greater New York charter, in relation to permits for construction of private sewers."

On motion of Mr. Kennedy, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 119

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hammond | McElligott | Smith A E |
| Allen | Donnelly | Hart | McGrath | Smith T K |
| Baumes | Donovan | Hearn | McKeon | Spielberg |
| Beach | Drummond | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Higgins | Miller | Sweet |
| Boylan | Evans | Hinman | Monczynski | Talmage |
| Brace | Farrell | Hoey | Mork | Terry |
| Brennan | Fay | Hoyt | Murray | Thorn |
| Bridenbecker | Filley | Huber | Myers | Trombly |
| Brooks | Fitzpatrick | Jackson | Neupert | Ward |
| Brown | Foley | Jameson | Nolan | Waring |
| Bryant | Friedman | Jones | O'Neill J J | Warren |
| Bush | Geatons | Kennedy | O'Neil M A | Waters R B |
| Carew | Gerhardt | Kopp | Pappert | Weil |
| Chanler | Gerken | Lansing | Parker A | Wende |
| Cheney | Gillen | LaReau | Parker J S | Wheeler |
| Coffey | Goldberg | Levy A J | Patrie | White |
| Collin | Goodwin | Levy J | Phillips C W | Wilson |
| Colné | Gould | Macdonald | Phillips J S | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Shepardson | Zorn |
| Day | Haines | McDaniels | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1968, Rec. No. 573), entitled "An act to amend the Military Law, in relation to the Coast Artillery Corps."

On motion of Mr. Cuvillier, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 119

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------|----------|---------|------------|-----------|
| Adler | DeLano | Hammond | McElligott | Smith A E |
| Allen | Donnelly | Hart | McGrath | Smith T K |
| Baumes | Donovan | Hearn | McKeon | Spielberg |

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Beach | Drummond | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Higgins | Miller | Sweet |
| Boylan | Evans | Hinman | Monczynski | Talmage |
| Brace | Farrell | Hoey | Mork | Terry |
| Brennan | Fay | Hoyt | Murray | Thorn |
| Bridenbecker | Filley | Huber | Myers | Trombly |
| Brooks | Fitzpatrick | Jackson | Neupert | Ward |
| Brown | Foley | Jameson | Nolan | Waring |
| Bryant | Friedman | Jones | O'Neill J J | Warren |
| Bush | Geatons | Kennedy | O'Neil M A | Waters R B |
| Carew | Gerhardt | Kopp | Pappert | Weil |
| Chanler | Gerken | Lansing | Parker A | Wende |
| Cheney | Gillen | LaReau | Parker J S | Wheeler |
| Coffey | Goldberg | Levy A J | Patrie | White |
| Collin | Goodwin | Levy J | Phillips C W | Wilson |
| Colné | Gould | Macdonald | Phillips J S | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Shepardson | Zorn |
| Day | Haines | McDaniels | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 330, Rec. No. 328), entitled "An act to provide for necessary repairs, improvements and betterments to the State armory in the borough of Brooklyn, in the city of New York, occupied by the Forty-seventh Regiment, National Guard, State of New York, and making an appropriation therefor."

On motion of Mr. Donovan, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 1

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Adler | Donovan | Herrick J J | McGrath | Shortt |
| Allen | Drummond | Herrick W R | McKeon | Smith A E |
| Baumes | Egan | Héyman | Merritt | Smith T K |
| Beach | Evans | Higgins | Miller | Spielberg |
| Blauvelt | Farrell | Hinman | Monczynski | Stivers |

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Boylan | Fay | Hoey | Mork | Sweet |
| Brace | Filley | Hoff | Murray | Talmage |
| Brennan | Fitzpatrick | Hollmann | Myers | Terry |
| Bridenbecker | Foley | Hoyt | Neupert | Thorn |
| Brooks | Friedman | Huber | Nolan | Trombly |
| Brown | Geatons | Jackson | Oliver | Walker |
| Bryant | Gerhardt | Jameson | O'Neill J J | Ward |
| Bush | Gerken | Jones | O'Neil M A | Waring |
| Carew | Gillen | Kennedy | Pappert | Warren |
| Chanler | Goldberg | Kopp | Parker A | Waters R B |
| Cheney | Goodman | Lansing | Parker J S | Weil |
| Coffey | Goodwin | LaReau | Patrie | Wende |
| Collin | Gould | Levy A J | Phillips C W | Wheeler |
| Colné | Graubard | Levy J | Saunders | White |
| Constantine | Gregg | Macdonald | Schifferdecker | Wilson |
| Cosad | Gurnett | MacGregor | Seeley | Winters |
| Cross | Hackett | Manley | Shannon | Yale |
| Cuvillier | Haines | Martin | Sheide | Yeomans |
| Day | Hammond | McCue | Shepardson | Young |
| DeLano | Hart | McDaniels | Shlivek | Zorn |
| Donnelly | Hearn | McElligott | | |

In the negative:

Phillips J S

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2225, Rec. No. 620), entitled "An act to amend the Code of Civil Procedure, in relation to depositions taken and to be used within the State."

On motion of Mr. Cuvillier, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Adler | Donnelly | Hearn | McGrath | Smith T K |
| Allen | Donovan | Herrick J J | McKoon | Spielberg |
| Baumes | Drummond | Higgins | Merritt | Stivers |
| Beach | Egan | Hinman | Miller | Sweet |
| Blauvelt | Evans | Hoey | Monczynski | Talmage |

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Boylan | Farrell | Hoff | Mork | Terry |
| Brace | Fay | Hollmann | Murray | Thorn |
| Brennan | Filley | Hoyt | Myers | Trombly |
| Bridenbecker | Fitzpatrick | Huber | Neupert | Turley |
| Brooks | Foley | Jackson | Nolan | Walker |
| Brown | Friedman | Jameson | O'Neill J J | Ward |
| Bryant | Geatons | Jones | O'Neil M A | Waring |
| Bush | Gerhardt | Kennedy | Pappert | Warren |
| Carew | Gerken | Kopp | Parker A | Waters R B |
| Chanler | Gillen | Lansing | Parker J S | Weil |
| Cheney | Goldberg | LaReau | Patrie | Wende |
| Coffey | Goodwin | Levy A J | Phillips C W | Wheeler |
| Collin | Gould | Levy J | Phillips J S | White |
| Colné | Graubard | Macdonald | Schifferdecker | Wilson |
| Constantine | Gregg | MacGregor | Seeley | Winters |
| Cosad | Gurnett | Manley | Shannon | Yale |
| Cross | Hackett | Martin | Shepardson | Yeomans |
| Cuvillier | Haines | McCue | Shortt | Young |
| Day | Hammond | McDaniels | Smith A E | Zorn |
| DeLano | Hart | McElligott | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2188, Rec. No. 575), entitled "An act to amend the Judiciary Law, in relation to the clerk and deputy clerk of the Appellate Division of the Supreme Court in the second department."

On motion of Mr. M. A. O'Neil, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 2

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|------------|-----------|
| Adler | Drummond | Herrick W R | McGrath | Shortt |
| Allen | Egan | Heyman | McKeon | Smith A E |
| Baumes | Evans | Higgins | Merritt | Smith T K |
| Beach | Farrell | Hinman | Miller | Spielberg |
| Blauvelt | Fay | Hoey | Monczynski | Stivers |
| Boylan | Filley | Hoff | Mork | Sweet |
| Brace | Fitzpatrick | Hollmann | Murray | Talmage |
| Brennan | Foley | Hoyt | Myers | Terry |
| Bridenbecker | Friedman | Huber | Neupert | Thorn |

| | | | | |
|-------------|-------------|------------|----------------|------------|
| Brooks | Geatons | Jackson | Nolan | Trombly |
| Brown | Gerhardt | Jameſon | Oliver | Walker |
| Bryant | Gerken | Jones | O'Neill J J | Ward |
| Bush | Gillen | Kennedy | O'Neil M A | Waring |
| Carew | Goldberg | Kopp | Pappert | War:en |
| Chanler | Goodman | Lansing | Parker A | Waters R B |
| Cheney | Goodwin | LaReau | Parker J S | Weil |
| Coffey | Gould | Levy A J | Patrie | Wende |
| Collin | Graubard | Levy J | Phillips C W | Wheeler |
| Constantine | Gregg | Macdonald | Saunders | White |
| Cosad | Gurnett | MacGregor | Schifferdecker | Wilson |
| Cross | Hackett | Manley | Seeley | Winters |
| Cuvillier | Haines | Martin | Shannon | Yale |
| Day | Hammond | McCue | Sheide | Yeomans |
| DeLano | Hart | McDaniels | Shepardson | Young |
| Donnelly | Hearn | McElligott | Shlivek | Zorn |
| Donovan | Herrick J J | | | |

Those who voted in the negative were:

Colné Phillips J S

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2068, Rec. No. 503), entitled "An act to amend the Prison Law, relative to the supply of articles manufactured in penal institutions."

Said bill having been announced for a second reading,

On motion of Mr. A. E. Smith, said bill was recommitted to the committee on rules.

Mr. Speaker announced the special order, being the Senate bill (No. 1996, Rec. No. 619), entitled "An act to amend the Education Law, relating to the establishment of State schools for immigrants at places where public works are in course of construction."

On motion of Mr. Foley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 3

Those who voted in the affirmative were :

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Drummond | Herrick W R | McGrath | Shortt |
| Allen | Egan | Heyman | McKeon | Smith A E |
| Baumes | Evans | Higgins | Merritt | Smith T K |
| Beach | Farrell | Hinman | Miller | Spielberg |
| Blauvelt | Fay | Hoey | Monczynski | Stivers |
| Boylan | Filley | Hoff | Mork | Sweet |
| Brace | Fitzpatrick | Hollmann | Murray | Talmage |
| Brennan | Foley | Hoyt | Myers | Terry |
| Bridenbecker | Friedman | Huber | Neupert | Thorn |
| Brooks | Geatons | Jackson | Nolan | Trombly |
| Brown | Gerhardt | Jameson | Oliver | Walker |
| Bryant | Gerken | Jones | O'Neill J J | Ward |
| Bush | Gillen | Kennedy | O'Neil M A | Waring |
| Carew | Goldberg | Kopp | Pappert | Warren |
| Chanler | Goodman | Lansing | Parker A | Waters R B |
| Cheney | Goodwin | LaReau | Parker J S | Weil |
| Coffey | Gould | Levy A J | Patrie | Wende |
| Collin | Graubard | Levy J | Phillips C W | Wheeler |
| Colné | Gregg | Lincoln | Phillips J S | White |
| Cosad | Gurnett | Macdonald | Saunders | Wilson |
| Cross | Hackett | Manley | Schifferdecker | Winters |
| Cuvillier | Ha'nes | Martin | Seeley | Yale |
| Day | Hammond | McCue | Shannon | Yeomans |
| DeLano | Hart | McDaniels | Sheide | Young |
| Donnelly | Hearn | McElligott | Shepardson | Zorn |
| Donovan | Herrick J J | | | |

Those who voted in the negative were :

Constantine MacGregor Shlivek

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2126, Rec. No. 636), entitled "An act to enable the commissioner of public safety of the city of Yonkers to review, rehear and determine the charges against James McGowan, formerly a patrolman in the police department of the city of Yonkers, and to reinstate said James McGowan as a patrolman in said police department."

On motion of Mr. Haines, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 118

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hammond | McElligott | Smith A E |
| Allen | Donnelly | Hart | McGrath | Smith T K |
| Baumes | Donovan | Hearn | McKeon | Spielberg |
| Beach | Drummond | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Higgins | Miller | Sweet |
| Boylan | Evans | Hinman | Monczynski | Talmage |
| Brace | Farrell | Hoey | Mork | Terry |
| Brennan | Fay | Hoyt | Myers | Thorn |
| Bridenbecker | Filley | Huber | Neupert | Trombly |
| Brooks | Fitzpatrick | Jackson | Nolan | Ward |
| Brown | Foley | Jameson | O'Neill J J | Waring |
| Bryant | Friedman | Jones | O'Neil M A | Warren |
| Bush | Geatons | Kennedy | Pappert | Waters R B |
| Carew | Gerhardt | Kopp | Parker A | Weil |
| Chanler | Gerken | Lansing | Parker J S | Wende |
| Cheney | Gillen | LaReau | Patrie | Wheeler |
| Coffey | Goldberg | Levy A J | Phillips C W | White |
| Collin | Goodwin | Levy J | Phillips J S | Wilson |
| Colné | Gould | Macdonald | Schifferdecker | Winters |
| Constantine | Graubard | MacGregor | Seeley | Yale |
| Cosad | Gregg | Manley | Shannon | Yeomans |
| Cross | Gurnett | Martin | Shepardson | Young |
| Cuvillier | Hackett | McCue | Shortt | Zorn |
| Day | Haines | McDaniels | | |

In the negative:

Murray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2224, Rec. No. 601), entitled "An act to amend the Judiciary Law, in relation to exemptions from jury duty in the city of New York."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 6

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donovan | Herrick J J | McDaniels | Shlivek |
| Allen | Drummond | Herrick W R | McElligott | Shortt |
| Baumes | Egan | Heyman | McGrath | Smith A E |
| Beach | Farrell | Higgins | McKeon | Smith T K |
| Blauvelt | Fay | Hinman | Miller | Spielberg |
| Boylan | Filley | Hoey | Monczynski | Stivers |
| Brace | Fitzpatrick | Hoff | Mork | Sweet |
| Brennan | Foley | Hollmann | Myers | Talmage |
| Bridenbecker | Friedman | Hoyt | Neupert | Terry |
| Brooks | Geatons | Huber | Nolan | Thorn |
| Brown | Gerhardt | Jackson | Oliver | Trombly |
| Bryant | Gerken | Jameson | O'Neill J J | Walker |
| Carew | Gillen | Jones | O'Neil M A | Ward |
| Caughlan | Goldberg | Kennedy | Pappert | Waring |
| Chanler | Goodman | Kopp | Parker A | Warren |
| Cheney | Goodwin | Lansing | Parker J S | Waters R B |
| Coffey | Gould | LaReau | Patrie | Weil |
| Collin | Graubard | Levy A J | Phillips C W | Wende |
| Constantine | Gregg | Levy J | Phillips J S | Wheeler |
| Cosad | Gurnett | Lincoln | Saunders | White |
| Cross | Hackett | Macdonald | Schifferdecker | Wilson |
| Cuvillier | Haines | MacGregor | Seeley | Winters |
| Day | Hammond | Manley | Shannon | Yale |
| DeLano | Hart | Martin | Sheide | Yeomans |
| Donnelly | Hearn | McCue | Shepardson | Zorn |

Those who voted in the negative were:

| | | | | |
|-------|-------|---------|--------|-------|
| Bush | Evans | Merritt | Murray | Young |
| Colné | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2184, Rec. No. 611), entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cede, grant and convey to the United States a site for the erection of a light and fog signal in Hunt's Point park, borough of the Bronx, New York city."

On motion of Mr. Mork, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 119

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hammond | McElligott | Smith A E |
| Allen | Donnelly | Hart | McGrath | Smith T K |
| Baumes | Donovan | Hearn | McKeon | Spielberg |
| Beach | Drummond | Herrick J J | Meritt | Stivers |
| Blauvelt | Egan | Higgins | Miller | Sweet |
| Boylan | Evans | Hinman | Monczynski | Talmage |
| Brace | Farrell | Hoey | Mork | Terry |
| Brennan | Fay | Hoyt | Murray | Thorn |
| Bridenbecker | Filley | Huber | Myers | Trombly |
| Brooks | Fitzpatrick | Jackson | Neupert | Ward |
| Brown | Foley | Jameson | Nolan | Waring |
| Bryant | Friedman | Jones | O'Neill J J | Warren |
| Bush | Geatons | Kennedy | O'Neil M A | Waters R B |
| Carew | Gerhardt | Kopp | Pappert | Weil |
| Chanler] 1-2 | Gerken | Lansing | Parker A | Wende |
| Cheney | Gillen | LaReau | Parker J S | Wheeler |
| Coffey | Goldberg | Levy A J | Patrie | White |
| Collin | Goodwin | Levy J | Phillips C W | Wilson |
| Colné | Gould | Macdonald | Phillips J S | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Shepardson | Zorn |
| Day | Haines | McDaniels | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1769, Rec. No. 561), entitled "An act to amend the Education Law, relative to the acquisition of sites for schoolhouses."

On motion of Mr. A. J. Levy, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 119

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hammond | McElligott | Smith A E |
| Allen | Donnelly | Hart | McGrath | Smith T K |
| Baumes | Donovan | Heain | McKeon | Spielberg |
| Beach | Drummond | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Higgins | Miller | Sweet |
| Boylan | Evans | Hinman | Monczynski | Talmage |
| Brace | Farrell | Hoey | Mork | Terry |
| Brennan | Fay | Hoyt | Murray | Thorn |
| Bridenbecker | Filley | Huber | Myers | Trombly |
| Brooks | Fitzpatrick | Jackson | Neupert | Ward |
| Brown | Foley | Jameson | Nolan | Waring |
| Bryant | Friedman | Jones | O'Neill J J | Warren |
| Bush | Geatons | Kennedy | O'Neil M A | Waters R B |
| Carew | Gerhardt | Kopp | Pappert | Weil |
| Chanler | Gerken | Lansing | Parker A | Wende |
| Cheney | Gillen | LaReau | Parker J S | Wheeler |
| Coffey | Goldberg | Levy A J | Patrie | White |
| Collin | Goodwin | Levy J | Phillips C W | Wilson |
| Colné | Gould | Macdonald | Phillips J S | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Shepardson | Zorn |
| Day | Haines | McDaniels | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2226, Rec. No. 634), entitled "An act to amend the Military Law, in relation to the militia council."

On motion of Mr. Cuvillier, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 1

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Adler | Donovan | Herrick J J | McGrath | Shortt |
| Allen | Drummond | Herrick W R | McKeon | Smith A E |
| Baumes | Egan | Heyman | Merritt | Smith T K |
| Beach | Evans | Higgins | Miller | Spielberg |
| Blauvelt | Farrell | Hinman | Monczynski | Stivers |

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Boylan | Fay | Hoey | Mork | Sweet |
| Brace | Filley | Hoff | Murray | Talmage |
| Brennan | Fitzpatrick | Hollmann | Myers | Terry |
| Bridenbecker | Foley | Hoyt | Neupert | Thorn |
| Brooks | Friedman | Huber | Nolan | Trombly |
| Brown | Geatons | Jackson | Oliver | Walker |
| Bryant | Gerhardt | Jameson | O'Neill J J | Ward |
| Bush | Gerken | Jones | O'Neil M A | Waring |
| Carew | Gillen | Kennedy | Pappert | Warren |
| Chanler | Goldberg | Kopp | Parker A | Waters R B |
| Cheney | Goodman | Lansing | Parker J S | Weil |
| Coffey | Goodwin | LaReau | Patrie | Wende |
| Collin | Gould | Levy A J | Phillips C W | Wheeler |
| Colné | Graubard | Levy J | Phillips J S | White |
| Constantine | Gregg | Lincoln | Saunders | Wilson |
| Cosad | Gurnett | Macdonald | Schifferdecker | Winters |
| Cross | Hackett | Manley | Seeley | Yale |
| Cuvillier | Haines | Martin | Shannon | Yeomans |
| Day | Hammond | McCue | Sheide | Young |
| DeLano | Hart | McDaniels | Shepardson | Zorn |
| Donnelly | Hearn | McElligott | Shlivek | |

In the negative:

MacGregor

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2124, Rec. No. 628), entitled "An act to amend chapter forty-eight of the Laws of eighteen hundred and thirty, entitled 'An act to incorporate the New York Law Institute,' by increasing the amount for which the said corporation may take, hold and convey real estate."

On motion of Mr. Foley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------|----------|-------------|------------|-----------|
| Adler | DeLano | Hammond | McElligott | Smith A E |
| Allen | Donnelly | Hart | McGrath | Smith T K |
| Baumes | Donovan | Hearn | McKeon | Spielberg |
| Beach | Drummond | Herrick J J | Merritt | Stivers |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Blauvelt | Egan | Higgins | Miller | Sweet |
| Boylan | Evans | Hinman | Monczynski | Talmage |
| Brace | Farrell | Hoey | Mork | Terry |
| Brennan | Fay | Hoyt | Murray | Thorn |
| Bridenbecker | Filley | Huber | Myers | Trombly |
| Brooks | Fitzpatrick | Jackson | Neupert | Ward |
| Brown | Foley | Jameson | Nolan | Waring |
| Bryant | Friedman | Jones | O'Neill J J | Warren |
| Bush | Geatons | Kennedy | O'Neil M A | Waters R B |
| Carew | Gerhardt | Kopp | Pappert | Weil |
| Chanler | Gerken | Lansing | Parker A | Wende |
| Cheney | Gillen | LaReau | Parker J S | Wheeler |
| Coffey | Goldberg | Levy A J | Patrie | White |
| Collin | Goodwin | Levy J | Phillips C W | Wilson |
| Colné | Gould | Macdonald | Phillips J S | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Shepardson | Zorn |
| Day | Haines | McDaniels | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 163, Int. No. 162), entitled "An act to provide for the erection of a new armory building in the city of Newburgh, New York, the acquisition of a site for the same, and making an appropriation therefor; and providing for the sale of the old armory site and building and the application of the proceeds to such new building, and for other purposes relative to the same."

On motion of Mr. Baumes, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 118

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------|----------|-------------|---------|-----------|
| Adler | DeLano | Hammond | McGrath | Smith A E |
| Allen | Donnelly | Hart | McKeon | Smith T K |
| Baumes | Donovan | Hearn | Meritt | Spielberg |
| Beach | Drummond | Herrick J J | Miller | Stivers |

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Blauvelt | Egan | Higgins | Monczynski | Sweet |
| Boylan | Evans | Hinman | Mork | Talmage |
| Brace | Farrell | Hoev | Murray | Terry |
| Brennan | Fay | Hoyt | Myers | Thorn |
| Bridenbecker | Filley | Huber | Neupert | Trombly |
| Brooks | Fitzpatrick | Jackson | Nolan | Ward |
| Brown | Foley | Jameson | O'Neill J J | Waring |
| Bryant | Friedman | Kennedy | O'Neil M A | Warren |
| Bush | Geatons | Kopp | Pappert | Waters R B |
| Carew | Gerhardt | Lansing | Parker A | Weil |
| Chanler | Gerken | LaReau | Parker J S | Wende |
| Cheney | Gillen | Levy A J | Patrie | Wheeler |
| Coffey | Goldberg | Levy J | Phillips C W | White |
| Collin | Goodwin | Macdonald | Phillips J S | Wilson |
| Colné | Gould | MacGregor | Schifferdecker | Winters |
| Constantine | Graubard | Manley | Seeley | Yale |
| Cosad | Gregg | Martin | Shannon | Yeomans |
| Cross | Gurnett | McCue | Shepardson | Young |
| Cuvillier | Hackett | McDaniels | Shortt | Zorn |
| Day | Haines | McElligott | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1933, Rec. No. 433), entitled "An act to amend the Highway Law, in relation to establishing a State route in Broome and Cortland counties, from the city of Binghamton to the city of Cortland."

On motion of Mr. Brown, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 2

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|------------|-----------|
| Adler | Donovan | Herrick J J | McGrath | Smith A E |
| Allen | Drummond | Herrick W R | McKeon | Smith T K |
| Baumes | Egan | Heyman | Merritt | Spielberg |
| Beach | Evans | Higgins | Miller | Stivers |
| Blauvelt | Farrell | Hoev | Monczynski | Sweet |
| Boylan | Fay | Hoff | Mork | Talmage |
| Brace | Filley | Hollmann | Murray | Terry |
| Brennan | Fitzpatrick | Hoyt | Myers | Thorn |
| Bridenbecker | Foley | Huber | Neupert | Trombly |

| | | | | |
|-------------|----------|------------|----------------|------------|
| Brooks | Friedman | Jackson | Oliver | Turley |
| Brown | Geatons | Jameson | O'Neill J J | Walker |
| Bryant | Gerhardt | Jones | O'Neil M A | Ward |
| Butler | Gerken | Kennedy | Pappert | Waring |
| Carew | Gillen | Kopp | Parker A | Warren |
| Chanler | Goldberg | Lansing | Parker J S | Waters R B |
| Cheney | Goodman | LaReau | Patrie | Weil |
| Coffey | Goodwin | Levy A J | Phillips C W | Wende |
| Collin | Gould | Levy J | Phillips J S | Wheeler |
| Colné | Graubard | Lincoln | Saunders | White |
| Constantine | Gregg | Macdonald | Schifferdecker | Wilson |
| Cosad | Gurnett | MacGregor | Seeley | Winters |
| Cross | Hackett | Manley | Shannon | Yale |
| Cuvillier | Haines | Martin | Sheide | Yeomans |
| Day | Hammond | McCue | Shepardson | Young |
| DeLano | Hart | McDaniels | Shlivek | Zorn |
| Donnelly | Hearn | McElligott | Shortt | |

Those who voted in the negative were:

Hinman Nolan

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1791, Rec. No. 568), entitled "An act to amend the Penal Law, in relation to the equipment and use of motor boats."

On motion of Mr. Haines, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 7

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|------------|-----------|
| Adler | DeLano | Hart | McDaniels | Smith A E |
| Allen | Donnelly | Hearn | McElligott | Smith T K |
| Baumes | Donovan | Herrick J J | McGrath | Spielberg |
| Beach | Drummond | Herrick W R | McKeon | Stivers |
| Blauvelt | Evans | Heyman | Miller | Sweet |
| Boylan | Farrell | Higgins | Monczynski | Talmage |
| Brace | Fay | Hinman | Murray | Terry |
| Brennan | Filley | Hoey | Myers | Thorn |
| Bridenbecker | Fitzpatrick | Hoff | Nolan | Trombly |
| Brooks | Foley | Hollmann | Oliver | Walker |

| | | | | |
|-------------|----------|-----------|----------------|------------|
| Brown | Friedman | Hoyt | O'Neill J J | Ward |
| Bryant | Geatons | Huber | O'Neil M A | Waring |
| Bush | Gerhardt | Jackson | Pappert | Warren |
| Carew | Gerken | Jameson | Parker A | Waters R B |
| Chanler | Gillen | Jones | Parker J S | Weil |
| Cheney | Goldberg | Kennedy | Patrie | Wende |
| Coffey | Goodman | Kopp | Phillips C W | Wheeler |
| Collin | Goodwin | Lansing | Phillips J S | White |
| Colné | Gould | LaReau | Saunders | Wilson |
| Connell | Graubard | Levy J | Schifferdecker | Winters |
| Constantine | Gregg | Lincoln | Seeley | Yale |
| Cosad | Gurnett | Macdonald | Shannon | Yeomans |
| Cross | Hackett | Manley | Shepardson | Young |
| Cuvillier | Haines | Martin | Shlivek | Zorn |
| Day | Hammond | McCue | Shortt | |

Those who voted in the negative were:

| | | | | |
|----------|-----------|------|---------|--------|
| Egan | MacGregor | Mork | Neupert | Sheide |
| Levy A J | Merritt | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2244, Rec. No. 614), entitled "An act to amend the Education Law, in relation to the dissolution and liquidation of the affairs of incorporated educational institutions."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|-------------|-------------|-----------|
| Adler | DeLano | Haines | McDaniels | Shortt |
| Allen | Donnelly | Hammond | McElligott | Smith A E |
| Baumes | Donovan | Hart | McGrath | Smith T K |
| Beach | Drummond | Hearn | McKeon | Spielberg |
| Blauvelt | Egan | Herrick J J | Merritt | Stivers |
| Boylan | Evans | Higgins | Miller | Sweet |
| Brace | Farrell | Hinman | Moneczynski | Talmage |
| Brennan | Fay | Hoey | Mork | Terry |
| Bridenbecker | Filley | Hoyt | Murray | Thorn |

| | | | | |
|-------------|-------------|-----------|----------------|------------|
| Brooks | Fitzpatrick | Huber | Myers | Trombly |
| Brown | Foley | Jackson | Neupert | Ward |
| Bryant | Friedman | Jameson | Nolan | Waring |
| Bush | Geatons | Jones | O'Neill J J | Warren |
| Carew | Gerhardt | Kennedy | O'Neil M A | Waters R B |
| Chanler | Gerken | Kopp | Pappert | Weil |
| Cheney | Gillen | Lansing | Parker A | Wende |
| Coffey | Goldberg | LaReau | Parker J S | Wheeler |
| Collin | Goodman | Levy A J | Patrie | White |
| Colné | Goodwin | Levy J | Phillips C W | Wilson |
| Constantine | Gould | Macdonald | Phillips J S | Winters |
| Cosad | Graubard | MacGregor | Schifferdecker | Yale |
| Cross | Gregg | Manley | Seeley | Yeomans |
| Cuvillier | Gurnett | Martin | Shannon | Young |
| Day | Hackett | McCue | Shepardson | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2104, Rec. No. 585), entitled "An act to provide for a proper representation of the State of New York at the annual convention of the National Guard Association of the United States for the year nineteen hundred and eleven, and reappropriating for such purpose a portion of the unexpended balance of money heretofore appropriated by chapter one hundred and twenty-five of the Laws of nineteen hundred and ten."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Adler | DeLano | Haines | McDaniels | Shortt |
| Allen | Donnelly | Hammond | McElligott | Smith A E |
| Baumes | Donovan | Hait | McGrath | Smith T K |
| Beach | Drummond | Hearn | McKeon | Spielberg |
| Blauvelt | Egan | Herrick J J | Merritt | Stivers |
| Boylan | Evans | Higgins | Miller | Sweet |
| Brace | Farrell | Hinman | Monczynski | Talmage |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Brennan | Fay | Hoey | Mork | Terry |
| Bridenbecker | Filley | Hoyt | Murray | Thorn |
| Brooks | Fitzpatrick | Huber | Myers | Trombly |
| Brown | Foley | Jackson | Neupert | Ward |
| Bryant | Friedman | Jameson | Nolan | Waring |
| Bush | Geatons | Jones | O'Neill J J | Warren |
| Carew | Gerhardt | Kennedy | O'Neil M A | Waters R B |
| Chanler | Gerken | Kopp | Pappert | Weil |
| Cheney | Gillen | Lansing | Parker A | Wende |
| Coffey | Goldberg | LaReau | Parker J S | Wheeler |
| Collin | Goodman | Levy A J | Patrie | White |
| Colne | Goodwin | Levy J | Phillips C W | Wilson |
| Constantine | Gould | Macdonald | Phillips J S | Winters |
| Cosad | Graubard | MacGregor | Schifferdecker | Yale |
| Cross | Gregg | Manley | Seeley | Yeomans |
| Cuvillier | Gurnett | Martin | Shannon | Young |
| Day | Hackett | McCue | Shepardson | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1946, Rec. No. 626), entitled "An act to amend the Agricultural Law, in relation to a bureau of agricultural labor in the city of Buffalo, and making an appropriation therefor."

On motion of Mr. Jackson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|------------|-----------|
| Adler | DeLano | Haines | McDaniels | Shortt |
| Allen | Donnelly | Hammond | McElligott | Smith A E |
| Baumes | Donovan | Hart | McGrath | Smith T K |
| Beach | Drummond | Hearn | McKeon | Spielberg |
| Blauvelt | Egan | Herrick J J | Merritt | Stivers |
| Boylan | Evans | Higgins | Miller | Sweet |
| Brace | Farrell | Hinman | Monczynski | Talmage |
| Brennan | Fay | Hoey | Mork | Terry |
| Bridenbecker | Filley | Hoyt | Murray | Thorn |
| Brooks | Fitzpatrick | Huber | Myers | Trombly |
| Brown | Foley | Jackson | Neupert | Ward |
| Bryant | Friedman | Jameson | Nolan | Waring |

| | | | | |
|-------------|----------|-----------|----------------|------------|
| Bush | Geatons | Jones | O'Neill J J | Warren |
| Carew | Gerhardt | Kennedy | O'Neil M A | Waters R B |
| Chanler | Gerken | Kopp | Pappert | Weil |
| Cheney | Gillen | Lansing | Parker A | Wende |
| Coffey | Goldberg | LaReau | Parker J S | Wheeler |
| Collin | Goodman | Levy A J | Patrie | White |
| Colne | Goodwin | Levy J | Phillips C W | Wilson |
| Constantine | Gould | Macdonald | Phillips J S | Winters |
| Cosad | Graubard | MacGregor | Schifferdecker | Yale |
| Cross | Gregg | Manley | Seeley | Yeomans |
| Cuvillier | Gurnett | Martin | Shannon | Young |
| Day | Hackett | McCue | Shepardson | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2170, Rec. No. 567), entitled "An act to legalize, ratify and confirm all the proceedings of the village of White Plains and of its officers and agents and the qualified voters thereof, relative to the issue of bonds of said village in the amount of nine thousand five hundred dollars, for purchasing apparatus for its fire department and to pay for completion of firehouses in said village, providing for the payment of interest and principal thereof and authorizing the resale of such bonds in case of certain conditions."

On motion of Mr. Goodwin, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Adler | DeLano | Haines | McDaniels | Shortt |
| Allen | Donnelly | Hammond | McElligott | Smith A E |
| Baumes | Donovan | Hart | McGrath | Smith T K |
| Beach | Drummond | Hearn | McKeon | Spielberg |
| Blauvelt | Egan | Herrick J J | Merritt | Stivers |
| Boylan | Evans | Higgins | Miller | Sweet |
| Brace | Farrell | Hinman | Monczynski | Talmage |
| Brennan | Fay | Hoey | Mork | Terry |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Bridenbecker | Filley | Hoyt | Murray | Thorn |
| Brooks | Fitzpatrick | Huber | Myers | Trombly |
| Brown | Foley | Jackson | Neupert | Ward |
| Bryant | Friedman | Jameson | Nolan | Waring |
| Bush | Geatons | Jones | O'Neill J J | Warren |
| Carew | Gerhardt | Kennedy | O'Neil M A | Waters R B |
| Chanler | Gerken | Kopp | Pappert | Weil |
| Cheney | Gillen | Lansing | Parker A | Wende |
| Coffey | Goldberg | LaReau | Parker J S | Wheeler |
| Collin | Goodman | Levy A J | Patrie | White |
| Colné | Goodwin | Levy J | Phillips C W | Wilson |
| Constantine | Gould | Macdonald | Phillips J S | Winters |
| Cosad | Graubard | MacGregor | Schifferdecker | Yale |
| Cross | Gregg | Manley | Seeley | Yeomans |
| Cuvillier | Gurnett | Martin | Shannon | Young |
| Day | Hackett | McCue | Shepardson | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2237, Rec. No. 579), entitled "An act to establish a commission to inquire into the workings of laws relative to certain loans commonly made at extraordinary rates of interest or charges, also to make recommendations for legislation, and making an appropriation for the expenses of said commission."

On motion of Mr. Jackson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|------------|-----------|
| Adler | Donovan | Herrick J J | McElligott | Shortt |
| Allen | Drummond | Herrick W R | McGrath | Smith A E |
| Baumes | Egan | Heyman | McKeon | Smith T K |
| Beach | Evans | Higgins | Merritt | Spielberg |
| Blauvelt | Farrell | Hinman | Miller | Stivers |
| Boylan | Fay | Hoey | Monczynski | Sweet |
| Brace | Filley | Hoff | Mork | Talmage |
| Brennan | Fitzpatrick | Hollmann | Murray | Terry |
| Bridenbecker | Foley | Hoyt | Myers | Thorn |

| | | | | |
|-------------|----------|-----------|----------------|------------|
| Brooks | Friedman | Huber | Neupert | Trombly |
| Brown | Geatons | Jackson | Nolan | Walker |
| Bryant | Gerhardt | Jameson | Oliver | Ward |
| Bush | Gerken | Jones | O'Neill J J | Waring |
| Carew | Gillen | Kennedy | O'Neil M A | Warren |
| Chanler | Goldberg | Kopp | Pappert | Waters R B |
| Cheney | Goodman | Lansing | Parker A | Weil |
| Coffey | Goodwin | LaReau | Parker J S | Wende |
| Collin | Gould | Levy A J | Patrie | Wheeler |
| Colné | Graubard | Levy J | Phillips C W | White |
| Constantine | Gregg | Lincoln | Saunders | Wilson |
| Cosad | Gurnett | Macdonald | Schifferdecker | Winters |
| Cross | Hackett | MacGregor | Seeley | Yale |
| Cuvillier | Haines | Manley | Shannon | Yeomans |
| Day | Hammond | Martin | Sheide | Young |
| DeLano | Hart | McCue | Shepardson | Zorn |
| Donnelly | Hearn | McDaniels | Shlivek | |

In the negative:

Phillips J S

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2196, Rec. No. 593), entitled "An act to amend the Transportation Corporations Law, in relation to contracts for water supply in the water districts of certain towns."

On motion of Mr. Sheide, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 2

Those who voted in the affirmative were:

| | | | | |
|----------|-------------|-------------|------------|-----------|
| Adler | Drummond | Herrick W R | McKeon | Shortt |
| Allen | Egan | Heyman | Merritt | Smith A E |
| Baumes | Evans | Higgins | Miller | Smith T K |
| Beach | Farrell | Hinman | Monczynski | Spielberg |
| Blauvelt | Fay | Hoey | Mork | Stivers |
| Boylan | Filley | Hoff | Murray | Sweet |
| Brace | Fitzpatrick | Hollmann | Myers | Talmage |
| Brennan | Foley | Hoyt | Neupert | Terry |

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Bridenbecker | Friedman | Huber | Nolan | Thorn |
| Brooks | Geatons | Jackson | Oliver | Trombly |
| Brown | Gerhardt | Jameson | O'Neill J J | Walker |
| Bryant | Gerken | Jones | O'Neil M A | Ward |
| Bush | Gillen | Kennedy | Pappert | Waring |
| Carew | Goldberg | Kopp | Parker A | Warren |
| Chanler | Goodman | Lansing | Parker J S | Waters R B |
| Cheney | Goodwin | LaReau | Patrie | Weil |
| Coffey | Gould | Levy A J | Phillips C W | Wende |
| Collin | Graubard | Levy J | Phillips J S | Wheeler |
| Colné | Gregg | Lincoln | Saunders | White |
| Cosad | Gurnett | Macdonald | Schifferdecker | Wilson |
| Cross | Hackett | Manley | Seeley | Winters |
| Cuvillier | Haines | Martin | Shannon | Yale |
| Day | Hammond | McCue | Sheide | Yeomans |
| DeLano | Hart | McDaniels | Shepardson | Young |
| Donnelly | Hearn | McElligott | Shlivek | Zorn |
| Donovan | Herrick J J | McGrath | | |

Those who voted in the negative were:

Constantine MacGregor

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2167, Rec. No. 618), entitled "An act to amend the Tax Law, in relation to the appointment of transfer tax appraisers, stenographers and clerks."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 77

NOES 40

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|------------|----------------|
| Blauvelt | Egan | Hackett | McCue | Saunders |
| Boylan | Farrell | Hearn | McDaniels | Schifferdecker |
| Brace | Fay | Herrick J J | McElligott | Seeley |
| Brennan | Fitzpatrick | Herrick W R | McGrath | Sheide |
| Bridenbecker | Foley | Hoey | McKeon | Spielberg |
| Bush | Geatons | Hoyt | Miller | Trombly |
| Carew | Gerhardt | Huber | Monczynski | Turley |

| | | | | |
|-----------|-----------|----------|-------------|----------|
| Caughlan | Gerken | Jackson | Mork | Walker |
| Collin | Gillen | Jameson | Myers | Warren |
| Cosad | Goldberg | Kennedy | Neupert | Washburn |
| Cuvillier | Goldstein | LaReau | Oliver | Weil |
| Dawson | Goodwin | Levy A J | O'Neill J J | Wende |
| Day | Gould | Levy J | O'Neil M A | Wheeler |
| Donnelly | Graubard | Manley | Parker A | Zorn |
| Donovan | Gregg | Martin | Patrie | Speaker |
| Drummond | Gurnett | | | |

Those who voted in the negative were:

| | | | | |
|---------|-------------|-----------|--------------|------------|
| Adler | Coffey | Hammond | Murray | Sweet |
| Allen | Colné | Hart | Nolan | Thorn |
| Baumes | Constantine | Higgins | Pappert | Ward |
| Beach | Cross | Hoff | Phillips J S | Waring |
| Brooks | Ebbetts | Jones | Shannon | Waters F A |
| Bryant | Filley | Lansing | Shepardson | Waters R B |
| Chanler | Friedman | MacGregor | Shortt | Wilson |
| Cheney | Goodman | Merritt | Stivers | Winters |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2100, Rec. No. 624), entitled "An act to repeal the various acts relating to the Albany Burgesses Corps."

On motion of Mr. Cuvillier, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 119

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|------------|-----------|
| Adler | DeLano | Hammond | McElligott | Smith A E |
| Allen | Donnelly | Hart | McGrath | Smith T K |
| Baumes | Donovan | Hearn | McKeon | Spielberg |
| Beach | Drummond | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Higgins | Miller | Sweet |
| Boylan | Evans | Hinman | Monczynski | Talmage |
| Brace | Farrell | Hoey | Mork | Terry |
| Brennan | Fay | Hoyt | Murray | Thorn |
| Bridenbecker | Filley | Huber | Myers | Trombly |
| Brooks | Fitzpatrick | Jackson | Neupert | Ward |

| | | | | |
|-------------|----------|-----------|----------------|------------|
| Brown | Foley | Jameson | Nolan | Waring |
| Bryant | Friedman | Jones | O'Neill J J | Warren |
| Bush | Geatons | Kennedy | O'Neil M A | Waters R B |
| Carew | Gerhardt | Kopp | Pappert | Weil |
| Chanler | Gerken | Lansing | Parker A | Wende |
| Cheney | Gil'en | LaReau | Parker J S | Wheeler |
| Coffey | Goldberg | Levy A J | Patrie | White |
| Collin | Goodwin | Levy J | Phillips C W | Wilson |
| Colné | Gould | Macdonald | Phillips J S | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Shepardson | Zorn |
| Day | Haines | McDaniels | Shórtt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2090, Rec. No. 612), entitled "An act to amend chapter one hundred and twenty-seven of the Laws of nineteen hundred and eleven, entitled 'An act to provide for a supply of pure and wholesome water for the city of Mount Vernon, and for the acquisition of lands or interests therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters and other appurtenances for that purpose, and for the appointment of a commission with the powers and duties necessary and proper to attain these objects.'"

On motion of Mr. Haines, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 119

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Adler | DeLano | Hammond | McElligott | Smith A E |
| Allen | Donnelly | Hart | McGrath | Smith T K |
| Baumes | Donovan | Hearn | McKeon | Spielberg |
| Beach | Drummond | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Higgins | Miller | Sweet |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Boylan | Evans | Hinman | Moneczynski | Talmage |
| Brace | Fairrell | Hoey | Mork | Terry |
| Brennan | Fay | Hoyt | Murray | Thorn |
| Bridenbecker | Filley | Huber | Myers | Trombly |
| Brooks | Fitzpatrick | Jackson | Neupert | Ward |
| Brown | Foley | Jameson | Nolan | Waring |
| Bryant | Friedman | Jones | O'Neill J J | Warren |
| Bush | Geatons | Kennedy | O'Neil M A | Waters R B |
| Carew | Gerhardt | Kopp | Pappert | Weil |
| Chanler | Gerken | Lansing | Parker A | Wende |
| Cheney | Gillen | LaReau | Parker J S | Wheeler |
| Coffey | Goldberg | Levy A J | Patrie | White |
| Collin | Goodwin | Levy J | Phillips C W | Wilson |
| Colné | Gould | Macdonald | Phillips J S | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Shepardson | Zorn |
| Day | Haines | McDaniels | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1766, Rec. No. 563), entitled "An act to amend the Code of Civil Procedure, in relation to actions and proceedings by and against foreign executors and administrators."

On motion of Mr. Chanler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 119

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|-------------|-------------|-----------|
| Adler | DeLano | Hammond | McElligott | Smith A E |
| Allen | Donnelly | Hart | McGrath | Smith T K |
| Baumes | Donovan | Hearn | McKeon | Spielberg |
| Beach | Drummond | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Higgins | Miller | Sweet |
| Boylan | Evans | Hinman | Moneczynski | Talmage |
| Brace | Farrell | Hoey | Mork | Terry |
| Brennan | Fay | Hoyt | Murray | Thorn |
| Bridenbecker | Filley | Huber | Myers | Trombly |

| | | | | |
|-------------|-------------|-----------|----------------|------------|
| Brooks | Fitzpatrick | Jackson | Neupert | Ward |
| Brown | Foley | Jameson | Nolan | Waring |
| Bryant | Friedman | Jones | O'Neill J J | Warren |
| Bush | Geatons | Kennedy | O'Neil M A | Waters R B |
| Carew | Gerhardt | Kopp | Pappert | Weil |
| Chanler | Gerken | Lansing | Parker A | Wende |
| Cheney | Gillen | LaReau | Parker J S | Wheeler |
| Coffey | Goldberg | Levy A J | Patrie | White |
| Collin | Goodwin | Levy J | Phillips C W | Wilson |
| Colné | Gould | Macdonald | Phillips J S | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Shepardson | Zorn |
| Day | Haines | McDaniels | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2146, Rec. No. 576), entitled "An act to repeal sections eighteen, nineteen and twenty of the Decedent Estate Law, relating to testamentary gifts to certain corporations, and sections eighteen and nineteen of the Membership Corporations Law."

On motion of Mr. Shortt, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 119

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|------------|-----------|
| Adler | DeLano | Hammond | McElligott | Smith A E |
| Allen | Donnelly | Hart | McGrath | Smith T K |
| Baumes | Donovan | Hearn | McKeon | Spielberg |
| Beach | Drummond | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Higgins | Miller | Sweet |
| Boylan | Evans | Hinman | Monczynski | Talmage |
| Brace | Farrell | Hoey | Mork | Terry |
| Brennan | Fay | Hoyt | Murray | Thorn |
| Bridenbecker | Filley | Huber | Myers | Trombly |
| Brooks | Fitzpatrick | Jackson | Neupert | Ward |
| Brown | Foley | Jameson | Nolan | Waring |

| | | | | |
|-------------|----------|-----------|----------------|------------|
| Bryant | Friedman | Jones | O'Neill J J | Warren |
| Bush | Geatons | Kennedy | O'Neil M A | Waters R B |
| Carew | Gerhardt | Kopp | Pappert | Weil |
| Chanler | Gerken | Lansing | Parker A | Wende |
| Cheney | Gillen | LaReau | Parker J S | Wheeler |
| Coffey | Goldberg | Levy A J | Patrie | White |
| Collin | Goodwin | Levy J | Phillips C W | Wilson |
| Colné | Gould | Macdonald | Phillips J S | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Shepardson | Zorn |
| Day | Haines | McDaniels | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1190, Rec. No. 496), entitled "An act to amend the Education Law, relative to the establishment of scholarships for the aid of students in colleges."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES, 127

NOES 3

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|------------|
| Adler | Drummond | Herrick W R | McElligott | Shlivek |
| Allen | Egan | Heyman | McGrath | Shortt |
| Baumes | Evans | Higgins | McKeon | Smith A E |
| Beach | Farrell | Hinman | Merritt | Smith T K |
| Blauvelt | Fav | Hoey | Miller | Spielberg |
| Boylan | Filley | Hoff | Monczynski | Stivers |
| Brace | Fitzpatrick | Hollmann | Mork | Sweet |
| Brennan | Foley | Hoyt | Myers | Talmage |
| Bridenbecker | Friedman | Huber | Neupert | Thorn |
| Brooks | Geatons | Jackson | Nolan | Trombly |
| Brown | Gerhardt | Jameson | Oliver | Walker |
| Bryant | Gerken | Jones | O'Neill J J | Ward |
| Carew | Gillen | Kennedy | O'Neil M A | Waring |
| Chanler | Goldberg | Kopp | Pappert | Warren |
| Cheney | Goodman | Lansing | Parker A | Waters R B |
| Coffey | Goodwin | LaReau | Parker J S | Weil |

| | | | | |
|-------------|-------------|-----------|----------------|---------|
| Collin | Gould | Levy A J | Patrie | Wende |
| Colné | Graubard | Levy J | Phillips C W | Wheeler |
| Constantine | Gregg | Lincoln | Phillips J S | White |
| Cosad | Gurnett | Macdonald | Saunders | Wilson |
| Cross | Hackett | MacGregor | Schifferdecker | Winters |
| Cullivier | Haines | Manley | Seeley | Yale |
| Day | Hammond | Martin | Shannon | Yeomans |
| DeLano | Hart | McCue | Sheide | Young |
| Donnelly | Hearn | McDaniels | Shepardson | Zorn |
| Donovan | Herrick J J | | | |

Those who voted in the negative were :

| | | |
|------|--------|-------|
| Bush | Murray | Terry |
|------|--------|-------|

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2211, Rec. No. 596), entitled "An act to amend the Agricultural Law, in relation to fungous growths and infectious and contagious diseases affecting trees."

On motion of Mr. Geatons, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 00

Those who voted in the affirmative were :

| | | | | |
|--------------|-------------|-------------|-------------|------------|
| Adler | Dav | Haines | McDaniels | Shortt |
| Allen | DeLano | Hammond | McElligott | Smith A E |
| Baumes | Donnelly | Hart | McGrath | Smith T K |
| Beach | Donovan | Hearn | McKeon | Spielberg |
| Blauvelt | Drummond | Herrick J J | Merritt | Stivers |
| Boylan | Egan | Higgins | Miller | Sweet |
| Brace | Evans | Hinman | Monczynski | Talmage |
| Brennan | Farrell | Hoey | Mork | Terry |
| Bridenbecker | Fay | Hoyt | Murray | Thorn |
| Brooks | Filley | Huber | Myers | Trombly |
| Brown | Fitzpatrick | Jackson | Neupert | Ward |
| Bryant | Foley | Jameson | Nolan | Waring |
| Bush | Friedman | Jones | O'Neill J J | Warren |
| Carew | Geatons | Kennedy | O'Neil M A | Waters R B |
| Chanler | Gerhardt | Kopp | Pappert | Weil |

| | | | | |
|-------------|----------|-----------|----------------|---------|
| Cheney | Gerken | Lansing | Parker A | Wende |
| Coffey | Gillen | LaReau | Parker J S | Wheeler |
| Collin | Goldberg | Levy A J | Patrie | White |
| Colné | Goodwin | Levy J | Phillips C W | Wilson |
| Connell | Gould | Macdonald | Phillips J S | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Shepardson | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2134, Rec. No. 613), entitled "An act to amend chapter six hundred and fifty-three of the Laws of nineteen hundred and six, entitled 'An act to extend the time of the Albany and Schoharie Valley Railroad Company to commence and complete the construction of its railroad,' in relation to the time of such extension."

On motion of Mr. Myers, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|------------|
| Adler | Day | Haines | McDaniels | Shortt |
| Allen | DeLano | Hammond | McElligott | Smith A E |
| Baumes | Donnelly | Hart | McGrath | Smith T K |
| Beach | Donovan | Hearn | McKeon | Spielberg |
| Blauvelt | Drummond | Herrick J J | Merritt | Stivers |
| Boylan | Egan | Higgins | Miller | Sweet |
| Brace | Evans | Hinman | Monczynski | Talmage |
| Brennan | Farrell | Hoey | Mork | Terry |
| Bridenbecker | Fay | Hoyt | Murray | Thorn |
| Brooks | Filley | Huber | Myers | Trombly |
| Brown | Fitzpatrick | Jackson | Neupert | Ward |
| Bryant | Foley | Jameson | Nolan | Waring |
| Bush | Friedman | Jones | O'Neill J J | Warren |
| Carew | Geatons | Kennedy | O'Neil M A | Waters R B |

| | | | | |
|-------------|----------|-----------|----------------|---------|
| Chanler | Gerhardt | Kopp | Pappert | Weil |
| Cheney | Gerken | Lansing | Parker A | Wende |
| Coffey | Gillen | LaReau | Parker J S | Wheeler |
| Collin | Goldberg | Levy A J | Patrie | White |
| Colné | Goodwin | Levy J | Phillips C W | Wilson |
| Connell | Gould | Macdonald | Phillips J S | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Shepardson | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1793, Rec. No. 558), entitled "An act to amend the Tax Law, in relation to taxable transfers."

On motion of Mr. Goldberg, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Day | Haines | McDaniels | Shortt |
| Allen | DeLano | Hammond | McElligott | Smith A E |
| Baumes | Donnelly | Hart | McGrath | Smith T K |
| Beach | Donovan | Hearn | McKeon | Spielberg |
| Blauvelt | Drummond | Herrick J J | Merritt | Stivers |
| Boylan | Egan | Higgins | Miller | Sweet |
| Brace | Evans | Hinman | Moneczynski | Talmage |
| Brennan | Farrell | Hoey | Mork | Terry |
| Bridenbecker | Fay | Hoyt | Murray | Thorn |
| Brooks | Filley | Huber | Myers | Trombly |
| Brown | Fitzpatrick | Jackson | Neupert | Ward |
| Bryant | Foley | Jameson | Nolan | Waring |
| Bush | Friedman | Jones | O'Neill J J | Warren |
| Carew | Geatons | Kennedy | O'Neil M A | Waters R B |
| Chanler | Gerhardt | Kopp | Pappert | Weil |
| Cheney | Gerken | Lansing | Parker A | Wende |
| Coffey | Gillen | LaReau | Parker J S | Wheeler |
| Collin | Goldberg | Levy A J | Patrie | White |
| Colné | Goodwin | Levy J | Phillips C W | Wilson |
| Connell | Gould | Macdonald | Phillips J S | Winters |

| | | | | |
|-------------|----------|-----------|----------------|---------|
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Shepardson | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1927, Rec. No. 625), entitled "An act authorizing the justices of the Appellate Division of the Supreme Court in the first department to retire employees for incapacity and providing for their compensation."

On motion of Mr. Foley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McDaniels | Shortt |
| Allen | DeLano | Hammond | McElligott | Smith A E |
| Baumes | Donnelly | Hart | McGrath | Smith T K |
| Beach | Donovan | Hearn | McKeon | Spielberg |
| Blauvelt | Drummond | Herrick J J | Merritt | Stivers |
| Boylan | Egan | Higgins | Miller | Sweet |
| Brace | Evans | Hinman | Monczynski | Talmage |
| Brennan | Farrell | Hoey | Mork | Terry |
| Bridenbecker | Fay | Hoyt | Murray | Thorn |
| Brooks | Filley | Huber | Myers | Trombly |
| Brown | Fitzpatrick | Jackson | Neupert | Ward |
| Bryant | Foley | Jameson | Nolan | Waring |
| Bush | Friedman | Jones | O'Neill J J | Warren |
| Carew | Geatons | Kennedy | O'Neil M A | Waters R B |
| Chanler | Gerhardt | Kopp | Pappert | Weil |
| Cheney | Gerken | Lansing | Parker A | Wende |
| Coffey | Gillen | LaReau | Parker J S | Wheeler |
| Collin | Goldberg | Levy A J | Patrie | White |
| Colné | Goodwin | Levy J | Phillips C W | Wilson |
| Connell | Gould | Macdonald | Phillips J S | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Shepardson | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2183, Rec. No. 581), entitled "An act to legalize a certain deed from Ella Keith and other grantors to Robert Moody, recorder in the county of Essex, and to legalize such record."

On motion of Mr. Macdonald, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McDaniels | Shortt |
| Allen | DeLano | Hammond | McElligott | Smith A E |
| Baumes | Donnelly | Hart | McGrath | Smith T K |
| Beach | Donovan | Hearn | McKeon | Spielberg |
| Blauvelt | Drummond | Herrick J J | Merritt | Stivers |
| Boylan | Egan | Higgins | Miller | Sweet |
| Brace | Evans | Hinman | Moneczynski | Talmage |
| Brennan | Fariell | Hoey | Mork | Terry |
| Bridenbecker | Fay | Hoyt | Murray | Thorn |
| Brooks | Filley | Huber | Myers | Trombly |
| Brown | Fitzpatrick | Jackson | Neupert | Ward |
| Bryant | Foley | Jameson | Nolan | Waring |
| Bush | Friedman | Jones | O'Neill J J | Warren |
| Carew | Geatons | Kennedy | O'Neil M A | Waters R R |
| Chanler | Gerhardt | Kopp | Pappert | Weil |
| Cheney | Gerken | Lansing | Parker A | Wende |
| Coffey | Gillen | LaReau | Parker J S | Wheeler |
| Collin | Goldberg | Levy A J | Patrie | White |
| Colné | Goodwin | Levy J | Phillips C W | Wilson |
| Connell | Gould | Macdonald | Phillips J S | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Shepardson | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2192, Rec. No. 572), entitled "An act to amend the charter of the city of Jamestown, in relation to the collection, application and distribution of receipts from premiums collected and to be collected from foreign fire insurance companies."

On motion of Mr. Cheney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McDaniels | Shortt |
| Allen | DeLano | Hammond | McElligott | Smith A E |
| Baumes | Donnelly | Hart | McGrath | Smith T K |
| Beach | Donovan | Hearn | McKeon | Spielberg |
| Blauvelt | Drummond | Herrick J J | Merritt | Stivers |
| Boylan | Egan | Higgins | Miller | Sweet |
| Brace | Evans | Hinman | Monczynski | Talmage |
| Brennan | Farrell | Hoey | Mork | Terry |
| Bridenbecker | Fay | Hoyt | Murray | Thorn |
| Brooks | Filley | Huber | Myers | Trombly |
| Brown | Fitzpatrick | Jackson | Neupert | Ward |
| Bryant | Foley | Jameson | Nolan | Waring |
| Bush | Friedman | Jones | O'Neill J J | Warren |
| Carew | Geatons | Kennedy | O'Neil M A | Waters F A |
| Chanler | Gerhardt | Kopp | Pappert | Weil |
| Cheney | Gerken | Lansing | Parker A | Wende |
| Coffey | Gillen | LaReau | Parker J S | Wheeler |
| Collin | Goldberg | Levy A J | Patrie | White |
| Colné | Goodwin | Levy J | Phillips C W | Wilson |
| Connell | Gould | Macdonald | Phillips J S | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Shepardson | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 470, Rec. No. 399), entitled "An act to amend the Penal

Law, relative to misconduct of officers, directors, trustees or employees of banking corporations."

On motion of Mr. Farrell, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McDaniels | Shortt |
| Allen | DeLano | Hammond | McElligott | Smith A E |
| Baumes | Donnelly | Hart | McGrath | Smith T K |
| Beach | Donovan | Hearn | McKeon | Spielberg |
| Blauvelt | Drummond | Herrick J J | Merritt | Stivers |
| Boylan | Egan | Higgins | Miller | Sweet |
| Brace | Evans | Hinman | Monczynski | Talmage |
| Brennan | Farrell | Hoey | Mork | Terry |
| Bridenbecker | Fay | Hoyt | Murray | Thorn |
| Brooks | Filley | Huber | Myers | Trombly |
| Brown | Fitzpatrick | Jackson | Neupert | Ward |
| Bryant | Foley | Jameson | Nolan | Waring |
| Bush | Friedman | Jones | O'Neill J J | Warren |
| Carew | Geatons | Kennedy | O'Neil M A | Waters R B |
| Chanler | Gerhardt | Kopp | Pappert | Weil |
| Cheney | Gerken | Lansing | Parker A | Wende |
| Coffey | Gillen | LaReau | Parker J S | Wheeler |
| Collin | Goldberg | Levy A J | Patrie | White |
| Colné | Goodwin | Levy J | Phillips C W | Wilson |
| Connell | Gould | Macdonald | Phillips J S | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Shepardson | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2055, Rec. No. 615), entitled "An act to amend the Labor Law, in relation to laundries."

On motion of Mr. Hoey, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McDaniels | Shortt |
| Allen | DeLano | Hammond | McElligott | Smith A E |
| Baumes | Donnelly | Hart | McGrath | Smith T K |
| Beach | Donovan | Hearn | McKeon | Spielberg |
| Blauvelt | Drummond | Herrick J J | Merritt | Stivers |
| Boylan | Egan | Higgins | Miller | Sweet |
| Brace | Evans | Hinman | Monczynski | Talmage |
| Brennan | Farrell | Hoey | Mork | Terry |
| Bridenbecker | Fay | Hoyt | Murray | Thorn |
| Brooks | Filley | Huber | Myers | Trombly |
| Brown | Fitzpatrick | Jackson | Neupert | Ward |
| Bryant | Foley | Jameson | Nolan | Waring |
| Bush | Friedman | Jones | O'Neill J J | Warren |
| Carew | Geatons | Kennedy | O'Neil M A | Waters R B |
| Chanler | Gerhardt | Kopp | Pappert | Weil |
| Cheney | Gerken | Lansing | Parker A | Wende |
| Coffey | Gillen | LaReau | Parker J S | Wheeler |
| Collin | Goldberg | Levy A J | Patrie | White |
| Colné | Goodwin | Levy J | Phillips C W | Wilson |
| Connell | Gould | Macdonald | Phillips J S | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Shepardson | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2067, Rec. No. 622), entitled "An act to amend the Labor Law, in relation to mercantile establishments."

On motion of Mr. Boylan, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donovan | Herrick J J | McGrath | Shortt |
| Allen | Drummond | Herrick W R | McKeon | Smith A E |
| Baumes | Egan | Heyman | Merritt | Smith T K |
| Beach | Evans | Higgins | Miller | Spielberg |
| Blauvelt | Farrell | Hinman | Monczynski | Stivers |
| Boylan | Fay | Hoey | Mork | Sweet |
| Brace | Filley | Hoff | Murray | Talmage |
| Brennan | Fitzpatrick | Hollmann | Myers | Terry |
| Bridenbecker | Foley | Hoyt | Neupert | Thorn |
| Brooks | Friedman | Huber | Nolan | Trombly |
| Brown | Geatons | Jackson | Oliver | Walker |
| Bryant | Gerhardt | Jameson | O'Neill J J | Ward |
| Bush | Gerken | Jones | O'Neil M A | Waring |
| Carew | Gillen | Kennedy | Pappert | Warren |
| Chanler | Goldberg | Kopp | Parker A | Waters R B |
| Cheney | Goodman | Lansing | Parker J S | Weil |
| Coffey | Goodwin | LaReau | Patrie | Wende |
| Collin | Gould | Levy A J | Phillips C W | Wheeler |
| Colné | Graubard | Levy J | Phillips J S | White |
| Constantine | Gregg | Lincoln | Saunders | Wilson |
| Cosad | Gurnett | Macdonald | Schifferdecker | Winters |
| Cross | Hackett | Manley | Seeley | Yale |
| Cuvillier | Haines | Martin | Shannon | Yeomans |
| Day | Hammond | McCue | Sheide | Young |
| DeLano | Hart | McDaniels | Shepardson | Zorn |
| Donnelly | Hearn | McElligott | Shlivek | |

In the negative:

MacGregor

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2214, Rec. No. 603), entitled "An act to amend the Code of Civil Procedure, in relation to current docket-books."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 119

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hammond | McElligott | Smith A E |
| Allen | Donnelly | Hart | McGrath | Smith T K |
| Baumes | Donovan | Hearn | McKeon | Spielberg |
| Beach | Drummond | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Higgins | Miller | Sweet |
| Boylan | Evans | Hinman | Monczynski | Talmage |
| Brace | Farrell | Hoey | Mork | Terry |
| Brennan | Fay | Hoyt | Murray | Thorn |
| Bridenbecker | Filley | Huber | Myers | Trombly |
| Brooks | Fitzpatrick | Jackson | Neupert | Ward |
| Brown | Foley | Jameson | Nolan | Waring |
| Bryant | Friedman | Jones | O'Neill J J | Warren |
| Bush | Geatons | Kennedy | O'Neil M A | Waters R B |
| Carew | Gerhardt | Kopp | Pappert | Weil |
| Chanler | Gerken | Lansing | Parker A | Wende |
| Cheney | Gillen | LaReau | Parker J S | Wheeler |
| Coffey | Goldberg | Levy A J | Patrie | White |
| Collin | Goodwin | Levy J | Phillips C W | Wilson |
| Colné | Gould | Macdonald | Phillips J S | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Shepardson | Zorn |
| Day | Haines | McDaniels | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2193, Rec. No. 602), entitled "An act to amend the State Charities Law, in relation to admissions to the State charitable institutions."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 119

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hammond | McElligott | Smith A E |
| Allen | Donnelly | Hart | McGrath | Smith T K |
| Baumes | Donovan | Hearn | McKeon | Spielberg |
| Beach | Drummond | Herrick J J | Merritt | Stivers |
| Blauvelt | Egan | Higgins | Miller | Sweet |
| Boylan | Evans | Hinman | Monczynski | Talmage |
| Brace | Farrell | Holy | Mork | Terry |
| Brennan | Fay | Hoyt | Murray | Thorn |
| Bridenbecker | Filley | Huber | Myers | Trombly |
| Brooks | Fitzpatrick | Jackson | Neupert | Ward |
| Brown | Foley | Jameson | Nolan | Waring |
| Bryant | Friedman | Jones | O'Neill J J | Warren |
| Bush | Geatons | Kennedy | O'Neil M A | Waters R B |
| Carew | Gerhardt | Kopp | Pappert | Weil |
| Chanler | Gerken | Lansing | Parker A | Wende |
| Cheney | Gillen | LaReau | Parker J S | Wheeler |
| Coffey | Goldberg | Levy A J | Patrie | White |
| Collin | Goodwin | Levy J | Phillips C W | Wilson |
| Colné | Gould | Macdonald | Phillips J S | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Shepardson | Zorn |
| Day | Haines | McDaniels | Shortt | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2168, Reprint No. 2265, Rec. No. 629), entitled "An act to amend chapter three hundred and sixty of the Laws of nineteen hundred and eleven, entitled 'An act to promote the health and efficiency of policemen in cities of the first and second class.'"

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it; therefore, in accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill (Int. No. 1621, Printed No. 2168), as amended, entitled "An act to amend chapter three hundred and

sixty of the Laws of nineteen hundred and eleven, entitled 'An act to promote the health and efficiency of policemen in cities of the first and second class.'

Given under my hand and the Privy Seal of the State at the Capitol in the city of Albany this twentieth day of [L. S.] July in the year of our Lord, one thousand nine hundred and eleven.

JOHN A. DIX.

By the Governor:

JOHN A. MASON,

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Hearn | McDaniels | Shlivek |
| Allen | Donovan | Herrick J J | McElligott | Shortt |
| Baumes | Drummond | Herrick W R | McGrath | Smith A E |
| Beach | Egan | Heyman | McKeon | Smith T K |
| Blauvelt | Evans | Higgins | Merritt | Spielberg |
| Boylan | Farrell | Hinman | Miller | Stivers |
| Brace | Fay | Hoey | Monczynski | Sweet |
| Brennan | Filley | Hoff | Mork | Talmage |
| Bridenbecker | Fitzpatrick | Hollmann | Myers | Terry |
| Brooks | Foley | Hoyt | Neupert | Thorn |
| Brown | Friedman | Huber | Nolan | Trombly |
| Bryant | Geatons | Jackson | Oliver | Walker |
| Bush | Gerhardt | Jameson | O'Neill J J | Ward |
| Carew | Gerken | Jones | O'Neil M A | Waring |
| Chanler | Gillen | Kennedy | Pappert | Warren |
| Cheney | Goldberg | Kopp | Parker A | Waters R B |
| Coffey | Goodman | Lansing | Parker J S | Weil |
| Collin | Goodwin | LaReau | Patrie | Wende |
| Colné | Gould | Levy A J | Phillips C W | Wheeler |
| Constantine | Graubard | Levy J | Phillips J S | White |
| Cosad | Gregg | Lincoln | Saunders | Wilson |
| Cross | Gurnett | Macdonald | Schifferdecker | Winters |
| Cuvillier | Hackett | MacGregor | Seeley | Yale |
| Dawson | Haines | Manley | Shannon | Yeomans |
| Day | Hammond | Martin | Sheide | Young |
| DeLano | Hart | McCue | Shepardson | Zorn |

In the negative:

Murray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2256, Rec. No. 610), entitled "An act making provision for issuing bonds to the amount of not to exceed nineteen million eight hundred thousand dollars for the purpose of furnishing proper terminals and facilities for barge canal traffic, including the acquisition and interchange of property therefor, with a view to improving and fostering the commerce of the State, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and eleven."

On motion of Mr. Manley, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it; therefore, in accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill (Int. No. 1266, Printed No. 2203), entitled "An act making provision for issuing bonds to the amount of not to exceed nineteen million six hundred thousand dollars for the purpose of furnishing proper terminals and facilities for barge canal traffic, including the acquisition and interchange of property therefor, with a view to improving and fostering the commerce of the State, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and eleven."

Given under my hand and the Privy Seal of the State at the Capitol in the city of Albany this nineteenth day
[L. S.] of July in the year of our Lord, one thousand nine hundred and eleven.

JOHN A. DIX.

By the Governor:

JOHN A. MASON.

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question, "Shall this bill pass, and ought the same to receive the sanction of the people," the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 5

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Allen | Donovan | Hearn | McGrath | Smith A E |
| Baumes | Drummond | Herrick J J | McKeon | Smith T K |
| Beach | Egan | Herrick W R | Merritt | Spielberg |
| Blauvelt | Evans | Heyman | Miller | Stivers |
| Boylan | Farrell | Hinman | Monczynski | Sweet |
| Brace | Fay | Hoey | Mork | Talmage |
| Brennan | Filley | Hoyt | Myers | Terry |
| Bridenbecker | Fitzpatrick | Huber | Neupert | Thorn |
| Brooks | Foley | Jackson | Nolan | Trombly |
| Brown | Friedman | Jameson | Oliver | Walker |
| Bryant | Geatons | Jones | O'Neill J J | Ward |
| Bush | Gerhardt | Kennedy | O'Neil M A | Waring |
| Carew | Gerken | Kopp | Pappert | Warren |
| Caughlan | Gillen | Lansing | Parker A | Waters R B |
| Chanler | Goldberg | LaReau | Parker J S | Weil |
| Cheney | Goodman | Levy A J | Patrie | Wende |
| Coffey | Goodwin | Levy J | Phillips C W | Wheeler |
| Collin | Gould | Lincoln | Saunders | White |
| Constantine | Graubard | Macdonald | Schifferdecker | Wilson |
| Cosad | Gregg | MacGregor | Seeley | Winters |
| Cross | Gurnett | Manley | Shannon | Yale |
| Cuvillier | Hackett | Martin | Sheide | Yeomans |
| Day | Haines | McCue | Shepardson | Young |
| DeLano | Hammond | McDaniels | Shlivek | Zorn |
| Donnelly | Hart | McElligott | Shortt | |

Those who voted in the negative were:

| | | | | |
|-------|---------|------|--------|--------------|
| Adler | Higgins | Hoff | Murray | Phillips J S |
|-------|---------|------|--------|--------------|

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1813, Int. No. 1519), entitled "An act to amend chapter ten hundred and thirty-three of the Laws of eighteen hundred and ninety-five, entitled 'An act to incorporate the Metropolis Finance Company of New York,' passed June fifteenth, eighteen hundred and ninety-five."

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117

NOES 3

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Hart | McGrath | Smith A E |
| Allen | Donovan | Hearn | McKeon | Smith T K |
| Baumes | Drummond | Herrick J J | Merritt | Spielberg |
| Beach | Egan | Higgins | Miller | Stivers |
| Blauvelt | Evans | Hinman | Monczynski | Sweet |
| Boylan | Farrell | Hoev | Murray | Talmage |
| Brace | Fay | Hoyt | Myers | Terry |
| Brereton | Fillee | Huber | Neupert | Thorn |
| Bridenbecker | Fitzpatrick | Jackson | Nolan | Trombly |
| Brooks | Foley | Jameson | O'Neill J J | Ward |
| Brown | Friedman | Jones | O'Neil M A | Waring |
| Bryant | Geatons | Kopp | Pappert | Warren |
| Bush | Gerhardt | Lansing | Parker A | Waters R B |
| Carew | Gerken | LaReau | Parker J S | Weil |
| Chanler | Gillen | Levy A J | Patrie | Wende |
| Cheney | Goldberg | Levy J | Phillips C W | Wheeler |
| Coffey | Goodwin | Macdonald | Phillips J S | White |
| Collin | Gould | MacGregor | Schifferdecker | Wilson |
| Constantine | Graubard | Manley | Seeley | Winters |
| Cosad | Gregg | Martin | Shannon | Yale |
| Cross | Gurnett | McCue | Shepardson | Yeomans |
| Cuvillier | Hackett | McDaniels | Shlivek | Young |
| Day | Haines | McElligott | Shortt | Zorn |
| DeLano | Hammond | | | |

Those who voted in the negative were:

Colné Kennedy Mork

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

At two-forty o'clock P. M. the House took a recess of one hour.

THREE O'CLOCK AND FORTY MINUTES P. M.

The House again convened.

The bill (No. 2605, Int. No. 990) entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to

section four of article two of the Constitution, in relation to the registration of voters," was read the second time.

On motion of Mr. Warren, said bill was placed on the order of third reading.

Pursuant to notice, Mr. Warren moved to suspend rule 6 for the purpose of passing said resolution.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said resolution having been announced for a third reading,

Debate was had thereon.

Mr. Speaker put the question whether the House would agree to the final passage of said resolution, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 48

NOES 67

Those who voted in the affirmative were:

| | | | | |
|-------------|-----------|-------------|----------------|-----------|
| Brennan | Friedman | Herrick J J | McElligott | Shortt |
| Carew | Geatons | Herrick W R | McGrath | Smith A E |
| Caughlan | Gerhardt | Huber | McKeon | Spielberg |
| Cuvillier | Gerken | Jackson | Mork | Turley |
| Donnelly | Gillen | Jameson | Neupert | Walker |
| Egan | Goldberg | Kennedy | O'Neill J J | Warren |
| Farrell | Goldstein | Levy A J | O'Neil M A | Weil |
| Fay | Graubard | Levy J | Parker A | Wende |
| Fitzpatrick | Hackett | Manley | Schifferdecker | Zorn |
| Foley | Hearn | McCue | | |

Those who voted in the negative were:

| | | | | |
|--------------|-------------|-----------|--------------|------------|
| Adler | Colné | Hammond | Myers | Sweet |
| Baumes | Constantine | Higgins | Nolan | Terry |
| Beach | Cosad | Hinman | Pappert | Thorn |
| Blauvelt | Cross | Hoff | Phillips J S | Trombly |
| Brace | Day | Hoyt | Saunders | Ward |
| Bridenbecker | Drummond | Jones | Seeley | Waring |
| Brooks | Evans | Lansing | Shannon | Washburn |
| Bryant | Filley | LaReau | Shea | Waters F A |
| Bush | Goodman | Macdonald | Sheide | Waters R B |
| Butler | Goodwin | MacGregor | Shepardson | Wheeler |
| Chanler | Gould | McDaniels | Smith T K | Wilson |
| Cheney | Gregg | Merritt | Stivers | Winters |
| Coffey | Gurnett | Miller | Sullivan | Yeomans |
| Collin | Hart | | | |

Mr. Collin gives notice that he requests that Assembly bill (No. 1990, Int. No. 1633), entitled "An act to amend the Education Law, in relation to the establishment, management and objects of a State school of agriculture at Keuka College in Keuka Park in the county of Yates, and making an appropriation

therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Coffey gives notice that he requests that Assembly bill (No. 3, Int. No. 3), entitled "An act to provide for the erection of a new armory building in the city of Mount Vernon, New York, the acquisition of a site for the same, and making an appropriation therefor, and providing for the sale of the old armory site and buildings, and the application of the proceeds to such new building and for other purposes relative to the same," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Gould gives notice that he requests that Senate bill introduced by Mr. Gittins (No. 1196, Rec. No. 195), entitled "An act to provide for deepening and straightening Bergholtz creek and Cayuga creek in the town of Niagara, Niagara county, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that Senate bill introduced by Mr. Frawley (No. 2257, Rec. No. 642), entitled "An act providing for the reconstruction and decoration of the State Capitol and making appropriations therefor, and making appropriations for the construction, equipment and decoration of the State Education building and for the construction and equipment of the Capitol power house," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that Senate bill introduced by Mr. Frawley (No. 2264, Rec. No. 638), entitled "An act for the support of government," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Oliver gives notice that he requests that Senate bill introduced by Mr. Stilwell (No. 2182, Rec. No. 641), entitled "An act to amend chapter three hundred and thirty-six of the Laws of nineteen hundred and three, entitled 'An act to provide for the erection of a court house in the county of New York, and authorizing the acquisition of a site therefor,'" a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Manley gives notice that he requests that Senate bill introduced by Mr. Ferris (No. 2250, Rec. No. 637), entitled "An act in relation to certain security and surety bonds given to cities of the second and third class," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that Senate bill introduced by Mr. Frawley (No. 2263, Rec. No. 639), entitled "An act to repeal chapters four hundred and seventy-four, four hundred and eighty-three and four hundred and eighty-four of the Laws of nineteen hundred and eleven, making appropriations for contributions to various sinking funds," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. M. A. O'Neil gives notice that he requests that Senate bill introduced by Mr. Sanner (No. 2229, Rec. No. 640), entitled "An act to amend the Tax Law, in relation to clerks in surrogate's court, Kings county," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Evans gives notice that he requests that Senate bill introduced by Mr. Fiero (No. 2223, Rec. No. 583), entitled "An act to amend the Forest, Fish and Game Law, in relation to the open season for deer," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the com-

mittee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that Senate bill introduced by Mr. Pollock (No. 2199, Rec. No. 635), entitled "An act authorizing the appointment of a police justice in the village of Elmsford, in Westchester county, and relating to his power, jurisdiction and duties," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Foley gives notice that he requests that Senate bill introduced by Mr. Cronin (No. 1012, Rec. No. 173), entitled "An act to amend the Penal Law, relative to misconduct by directors or trustees of moneyed corporations," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Shortt gives notice that he requests that Senate bill introduced by Mr. Bayne (No. 1624, Rec. No. 616), entitled "An act to amend subdivision seven of section eight hundred and seventy-two of an act, entitled 'An act relating to courts, officers of justice and civil proceedings,' passed June second, eighteen hundred and seventy-six," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Shortt gives notice that he requests that Senate bill introduced by Mr. Bayne (No. 1623, Rec. No. 633), entitled "An act to amend section eight hundred and eighty-one of an act, entitled 'An act relating to courts, officers of justice and civil proceedings,' passed June second, eighteen hundred and seventy-six," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that Senate bill introduced by Mr. Grady (No. 203, Rec. No. 609), entitled "Concurrent resolution of the Senate and Assembly, proposing amendments to article twelve of the Constitution, guaranteeing to cities and incorporated villages the right of municipal self-

government and restricting the power of the Legislature to the enactment of general laws in reference thereto," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that Senate bill introduced by Mr. Grady (No. 2018, Rec. No. 589), entitled "An act authorizing the board of assessors of the city of New York to determine and allow damages sustained by owner of real property in the city of New York by reason of the change of grade of Audubon avenue," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that Senate bill introduced by Mr. Fiero (No. 2209, Rec. No. 582), entitled "An act to amend the Highway Law, in relation to adding to the State highway system a new State route, in the counties of Greene and Albany," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that Senate bill introduced by Mr. Saxe (No. 1158, Rec. No. 565), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section six of article one of the Constitution, in relation to the deprivation of property without due process of law," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that Senate bill introduced by Mr. Long (No. 1754, Rec. No. 479), entitled "An act to provide for dredging Powell creek in the county of Nassau, for widening and deepening the channel thereof, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that Senate bill introduced by Mr. Frawley (No. 2232, Rec. No. 643), entitled "An act authorizing the board of estimate and apportionment of the city of New York to audit and allow and also authorizing the comptroller of the city of New York to pay to John R. Voorhis compensation for services actually rendered to the city of New York, in the office of the president of the borough of Manhattan in the years nineteen hundred and eight, nineteen hundred and nine and nineteen hundred and ten," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Foley gives notice that he requests that Senate bill introduced by Mr. McClelland (No. 2153, Rec. No. 644), entitled "An act to provide a procedure for the prompt review of an apportionment by the Legislature or other body," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter one hundred and forty-seven of the Laws of nineteen hundred and three, entitled 'An act making provision for issuing bonds to the amount of not to exceed one hundred and one million dollars for the improvement of the Erie canal, the Oswego canal and the Champlain canal, and providing for a submission of the same to the people to be voted upon at a general election to be held in the year nineteen hundred and three, authorizing the State Engineer and Surveyor to make temporary appropriations for lands, structures and waters for the use of the improved canals' (No. 1669, Rec. No. 638), which was read the first time and referred to the committee on ways and means.

"An act to amend the Education Law, in relation to establishing a law library in the county of Queens" (No. 1668, Rec. No. 639), which was read the first time and referred to the committee on ways and means.

"An act to amend the Tax Law, in relation to clerks in surrogate's court, Kings county" (No. 2229, Rec. No. 640), which

was read the first time and referred to the committee on taxation and retrenchment.

"An act to amend chapter three hundred and thirty-six of the Laws of nineteen hundred and three, entitled 'An act to provide for the erection of a court house in the county of New York, and authorizing the acquisition of a site therefor'" (No. 2182, Rec. No. 641), which was read the first time and referred to the committee on internal affairs.

"An act providing for the reconstruction and decoration of the State Capitol, and making appropriations therefor, and making appropriations for the construction, equipment and decoration of the State Education building and for the construction and equipment of the Capitol boiler house" (No. 2257, Rec. No. 642), which was read the first time and referred to the committee on ways and means.

"An act authorizing the board of estimate and apportionment of the city of New York to audit and allow and also authorizing the comptroller of the city of New York to pay to John R. Voorhis compensation for services actually rendered to the city of New York, in the office of the president of the borough of Manhattan, in the years nineteen hundred and eight, nineteen hundred and nine and nineteen hundred and ten" (No. 2232, Rec. No. 643), which was read the first time and referred to the committee on ways and means.

"An act to provide a procedure for the prompt review of an apportionment by the Legislature or other body" (No. 2153, Rec. No. 644), which was read the first time and referred to the committee on the judiciary.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Gittins (No. 1196, Rec. No. 195), entitled "An act to provide for deepening and widening Bergholtz creek and Cayuga creek in the town of Niagara, Niagara county, and making an appropriation therefor."

Also, Senate bill introduced by Mr. Pollock (No. 2199, Rec. No. 635), entitled "An act authorizing the appointment of a police justice in the village of Elmsford, in Westchester county, and relating to his power, jurisdiction and duties."

Also, Senate bill introduced by Mr. Sanmer (No. 2229, Rec. No. 640), entitled "An act to amend the Tax Law, in relation to clerks in surrogate's court, Kings county."

Also, Senate bill introduced by Mr. Fiero (No. 2223, Rec. No. 583), entitled "An act to amend the Forest, Fish and Game Law, in relation to the open season for deer."

Also, Senate bill introduced by Mr. Ferris (No. 2250, Rec. No. 637), entitled "An act in relation to certain security and surety bonds given to cities of the second and third class."

Also, Senate bill introduced by Mr. Stilwell (No. 2182, Rec. No. 641), entitled "An act to amend chapter three hundred and thirty-six of the Laws of nineteen hundred and three, entitled 'An act to provide for the erection of a court house in the county of New York, and authorizing the acquisition of a site therefor.'"

Also, Senate bill introduced by Mr. Fiero (No. 2209, Rec. No. 582), entitled "An act to amend the Highway Law, in relation to adding to the State highway system a new State route, in the counties of Greene and Albany."

Also, Senate bill introduced by Mr. Saxe (No. 1158, Rec. No. 565), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section six article one of the Constitution, in relation to the deprivation of property without due process of law."

Also, Senate bill introduced by Mr. Grady (No. 2018, Rec. No. 589), entitled "An act authorizing the board of assessors, of the city of New York to determine and allow damages sustained by owner of real property in the city of New York by reason of the change of grade of Audubon avenue."

Also, Senate bill introduced by Mr. Grady (No. 203, Rec. No. 609), entitled "Concurrent resolution of the Senate and Assembly, proposing amendments to article twelve of the Constitution guaranteeing to cities and incorporated villages the right of municipal self-government and restricting the power of the Legislature to the enactment of general laws in reference thereto."

Also, Senate bill introduced by Mr. Bayne (No. 1624, Rec. No. 616), entitled "An act to amend subdivision seven of section eight hundred and seventy-two of an act, entitled 'An act re-

lating to courts, officers of justice and civil proceedings,' passed June second, eighteen hundred and seventy-six."

Also, Senate bill introduced by Mr. Bayne (No. 1623, Rec. No. 633), entitled "An act to amend section eight hundred and eighty-one of an act, entitled 'An act relating to courts, officers of justice and civil proceedings,' passed June second, eighteen hundred and seventy-six."

Also, Senate bill introduced by Mr. Cronin (No. 1012, Rec. No. 172), entitled "An act to amend the Penal Law, relative to misconduct by directors or trustees of moneyed corporations."

Also, Senate bill introduced by Mr. Frawley (No. 2232, Rec. No. 643), entitled "An act authorizing the board of estimate and apportionment of the city of New York to audit and allow and also authorizing the comptroller of the city of New York to pay to John R. Voorhis compensation for services actually rendered to the city of New York, in the office of the president of the borough of Manhattan in the years nineteen hundred and eight, nineteen hundred and nine and nineteen hundred and ten."

Also, Senate bill introduced by Mr. Frawley (No. 2257, Rec. No. 642), entitled "An act providing for the reconstruction and decoration of the State Capitol and making appropriations therefor, and making appropriations for the construction, equipment and decoration of the State Education building and for the construction and equipment of the Capitol power house."

Also, Senate bill introduced by Mr. Frawley (No. 2264, Rec. No. 638), entitled "An act to provide ways and means for the support of government."

Also, Senate bill introduced by Mr. Long (No. 1754, Rec. No. 479), entitled "An act to provide for dredging Powell creek in the county of Nassau, for widening and deepening the channel thereof, and making an appropriation therefor."

Also, Senate bill introduced by Mr. McClelland (No. 2153, Rec. No. 644), entitled "An act to provide for procedure for the prompt review of an apportionment by the Legislature or other body."

Also, Senate bill introduced by Mr. Frawley (No. 2263, Rec. No. 639), entitled "An act to repeal chapters four hundred and seventy-four, four hundred and eighty-three and four hundred

and eighty-four of the Laws of nineteen hundred and eleven, making appropriation to various sinking funds," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third heading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Collin (No. 1990, Int. No. 1633), entitled "An act to amend the Education Law, in relation to the establishment, management and objects of a State school of agriculture at Keuka College Keuka Park in the county of Yates, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Coffey (No. 3, Int. No. 3), entitled "An act to provide for the erection of a new armory building in the city of Mount Vernon, New York, the acquisition of a site for the same, and making an appropriation therefor, and providing for the sale of the old armory site and buildings, and the application of the proceeds to such new building and for other purposes relative to the same," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Neupert, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Education Law, in relation to the establishment, management and objects of a State school of agriculture at Keuka College in Keuka Park in the county of Yates, and making an appropriation therefor." (No. 1990, Int. No. 1633.)

"An act to provide for the erection of a new armory building in the city of Mount Vernon, New York, the acquisition of a

site for the same, and making an appropriation therefor, and providing for the sale of the old armory site and buildings, and the application of the proceeds to such new building and for other purposes relative to the same." (No. 3. Int. No. 3.)

Mr. Seeley, from the committee on Soldiers' Home, presented the report of the committee on the needs and condition of said institution, which was laid upon the table and ordered printed.

(See Assembly Document No. 59.)

The Senate returned the Assembly bill (No. 2457, Senate Reprint No. 2098, Int. No. 1565), entitled "An act to amend the Greater New York charter, in relation to the better prevention of fires," with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 17, change the word "battalion" to "deputy".

Page 2, line 22, after the word "powers" insert the following in italics: "in relation to the prevention of fires".

Page 2, line 22, strike out the words "sections seven".

Page 2, line 23, strike out the entire line.

Page 2, line 24, strike out the word "of", the first in the line.

Page 2, line 25, strike out "." after the word "act" and add to the sentence the following words in italics: "or by any other law or ordinance."

Page 2, line 25, strike out the "." after the word "prevention"; strike out the word "He" and insert in place thereof the word "who".

Page 2, line 26, insert a "." after the word "commissioner" and strike out the words "from among the battalion chiefs".

Page 3, line 1, strike out the words "and subject to his direction".

Page 5, line 22, after the word "sale" insert a "," and after the comma insert in italics the word "transportation".

Page 6, line 4, strike out the colon and add in italics "except tenement houses".

Page 6, line 15, after the word "premises" insert the words in italics "except tenement houses".

Page 6, line 16, after the word "fires" strike out ";" and add the following in italics "except the Tenement House Law."

Page 6, line 17, after the word "installation" insert "," and add the words in italics "as prescribed by any law or ordinance."

Page 6, line 22, strike out the word "or" after the word "building" and insert in place thereof a ",", and after the word

"structure" insert the following in italics: "enclosures, vessel, place or premises".

Page 7, line 21, after the word "enclosure" insert the words in italics "vessel, place".

Page 8, line 25, after the word "architect" strike out the words "of at least ten years' practice, to be appointed by the mayor" and insert in place thereof the following: "builder or other person to be appointed by the mayor who in his opinion is properly qualified to serve as such surveyor" in italics.

Page 8, line 26, after the word "be" change the word "a" to "an" and strike out the word "practical".

Page 9, line 1, strike out the word "builder".

Page 9, line 1, after the word "architect" insert the words in italics "builder or other qualified expert".

Page 9, line 5, after the word "be" change "a" to "an" and strike out the word "practical".

Page 9, line 6, strike out the words "builder or architect of at least ten years' practice" and insert in place thereof the following: "architect, builder or other qualified expert" in italics.

Page 10, line 2, strike out the words "An architect" and insert in place thereof the words "The survey" in italics.

Page 10, line 6, strike out the words "but such architect or surveyor shall not receive".

Page 10, line 7, strike out the entire line.

Page 10, line 8, strike out the words in italics "for services performed during any one calendar year."

Page 11, line 16, after the word "ordinance" change the word "of" to "or" in italics.

Page 14, line 25, change the word "adjoining" to "enjoining".

Page 15, line 19, after the word "effect" insert the following in italics: "when approved by the fire commissioner".

Page 2, line 14, after the word "therewith" strike out the remainder of said line.

Page 2, strike out lines 15, 16 and all on line 17 excepting the words "There shall".

Page 2, line 23, after the word "chief" insert the words "of the bureau," and also on same line strike out the word "who" and insert in place thereof the word "and".

Page 5, line 4, strike out all of said line and insert in place thereof the following: "776-a. Reimbursement for expenses; procedure".

Page 5, between lines 4 and 5, insert the following: "777. Right to survey."

777-a. Survey; certiorari to review reports of."

"777-b. Expenses of surveys."

Page 5, line 12, strike out the word "eight" and insert in place thereof the word "ten".

Page 5, line 13, after the numeral "776" insert "776-a, 777, 777-a, 777-b,"; also strike out numerals "777" after the numerals "776" and "778-b" after "778-a".

Page 5, line 14, after the numerals "778" strike out the letter "c" and insert in place thereof the letter "b".

On page 6, between the lines 23 and 24, insert a new subdivision as follows:

" 5. Cause any vessel moored to or anchored near any dock or pier in the city to be removed to and secured at such place in the harbor as shall be designated by the commissioner, provided such vessel shall be on fire or in danger of catching fire or is, by reason of its condition or the nature of its cargo, a menace to shipping or to property or the water front of the city."

Page 8, strike out lines 14 to 26, inclusive, and insert in place thereof the word "but"; on line 13 the following: "upon the refusal or neglect of a person served with an order of the department to comply with any of the requirements thereof the department may execute such order with its own employees and equipment, or by the employment of other agencies, as the commissioner may direct, subject to the right of the owner, lessee, occupant of such building, structure, vessel, enclosure, place or premises to demand a survey thereof in respect of such order; provided, that nothing contained in this section shall be held to authorize the commissioner to supply any deficiency in the fire-alarm, fire-extinguishing or fire-escape equipment of any building, structure, vessel, enclosure, place or premises, but in such case he may prohibit and prevent the occupancy or use of such building, structure, vessel, enclosure, place or premises or public access thereto for any purpose, until the order of the department in respect thereto is complied with.

" § 776-a. Reimbursements for expenses. Procedure. The expenses attending the execution of any and all orders duly made by the department shall respectively be a several and joint personal charge against each of the owners or part owners, and each of the lessees and occupants of the building, structure, vessel, enclosure, place or premises to which said order relates, and in respect of which said expenses were incurred; and also against every person or body who was by law or contract bound to do that in regard to such building, structure, vessel, enclosure, place or premises which said order requires, and said expenses shall also be a lien, on all rent and compensation due, or to grow due, for the use of any building, structure, vessel, enclosure, place or

premises, or any part thereof, to which said order relates, and in respect of which said expenses were incurred."

Pages 9, 10, 11, 12, 13 to be stricken out and the following inserted in place thereof:

" § 777. Right to survey. The owner, lessee or occupant of any building, structure, vessel, enclosure, place or premises affected by any order of the department, or his agent, may make written demand upon the commissioner for a survey of such building, structure, vessel, enclosure, place or premises to determine whether or not such order is valid and reasonable, which demand for survey must be served upon the commissioner or one of his deputies, or a member of the uniformed force of the department, if personal service cannot be made upon the commissioner or one of his deputies, within forty-eight hours, Sundays and holidays excluded, after the service of the order referred to in such demand. A demand for survey served upon a deputy commissioner or a member of the uniformed force of the department shall be forthwith transmitted to the commissioner. Upon receipt of a demand for a survey the commissioner shall immediately issue an order for the same, naming therein three persons to act as surveyors, one of whom shall be an officer or an employee of the bureau of fire prevention or a member of the municipal explosives commission; another shall be an architect or builder of at least ten years experience and the third a person to be chosen from a list to be furnished by the board of fire underwriters, or provided by the commissioner, with the approval of the mayor, in the event of the board of fire underwriters not furnishing such list. The date and hour when the survey shall be made shall be stated in the order therefor. A copy of such order shall be served upon the person demanding the survey at least twenty-four hours before the hour fixed in the order for the holding of such survey and he shall have the right to be present and be heard at the same in person, or by the agent or attorney; provided that such copy of an order of survey may be served as provided generally in respect to service of orders of the department, by section seven hundred and seventy-five of this act.

" § 777-a. Surveys, certiorari to review reports of. The surveyors shall meet at the time and place prescribed in the order of their appointment and shall survey the building, structure, vessel, enclosure, place or premises referred to in such order and consider the merits of the order of the department in respect of which the survey has been demanded. After such survey and consideration the surveyors shall prepare and sign a report of their proceedings and determination, which shall be filed in the department and a copy thereof shall be given the person demanding such survey, upon his application therefor. The determination

of the surveyors in any such case shall be final and conclusive, subject to review by certiorari by the Supreme Court, application for which shall be made within four days after the filing of the report of the survey in the department. No order made by the Supreme Court in a proceeding to review the report of a survey shall be appealable.

“§ 777-b. Expenses of surveys. Each person, other than an officer or employee of the department designated to act as a surveyor, pursuant to the provisions of this article, shall be paid out of the contingent fund of the department the sum of twenty-five dollars for each survey in which he participates, upon the filing of the report thereof in the department. The city shall be entitled to reimbursement for all expenses incident to a survey under the provisions of this article, provided, in the report of the survey, it shall be held that the order of the commissioner which was the subject of such survey, was in all respects valid and reasonable. In case the demand for a survey is made by a lessee or occupant, the commissioner may require, as a condition precedent to the ordering of a survey, that such lessee or occupant shall deposit with the department the sum of one hundred dollars to indemnify the city for the expenses of the survey, in the event the surveys confirm the order of the department, which sum shall be returned to the depositor in the event the surveyors shall report such order is invalid or unreasonable. No demand for a survey by a lessee or occupant of a building, structure, enclosure, vessel, place or premises shall have any force or effect or be binding in any way upon the commissioner unless and until such deposit to indemnify the department for the expenses of the survey, if required, shall have been made. The city may enforce reimbursement for the expenses of a survey against an owner of real property, who in person or by agent, has demanded a survey in respect of an order of the department, and shall have a lien upon the property affected by such order in like manner and to the same extent as is provided in section seventy hundred and seventy-six-a of this act.”

Page 14, strike out lines 1 to 8, inclusive, and also on line 26 the words “The expenses and dis-”, and all of line 27.

Page 15, strike out lines 1 to 13, inclusive.

Page 16, line 8, after the word “of” insert the following: “the bureau of” in italics.

Page 16, line 9, before the word “or” at the beginning of said line insert the following: “a fire marshal, or assistant fire marshal,” in italics. Also on the said line strike out the words “bureau of fire prevention” in italics and insert in place thereof the word “department” in italics.

Mr. Hoey moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Hearn | McKeon | Smith A E |
| Allen | Donovan | Herrick J J | Merritt | Smith T K |
| Baumes | Drummond | Herrick W R | Miller | Spielberg |
| Beach | Egan | Heyman | Monezynski | Stivers |
| Blauvelt | Evans | Higgins | Mork | Sweet |
| Boylan | Farrell | Hinman | Murray | Talmage |
| Brace | Fay | Hoey | Myers | Terry |
| Brennan | Filley | Hoff | Neupert | Thorn |
| Brereton | Fitzpatrick | Hoyt | Nolan | Trombly |
| Bridenbecker | Foley | Huber | Oliver | Turley |
| Brooks | Friedman | Jackson | O'Neill J J | Walker |
| Brown | Geatons | Jameson | O'Neil M A | Ward |
| Bryant | Gerhardt | Jones | Pappert | Waring |
| Bush | Gerken | Kennedy | Parker A | Warren |
| Carew | Gillen | Kopp | Parker J S | Washburn |
| Caughlan | Goldberg | Lansing | Patrie | Waters F A |
| Chanler | Goldstein | LaReau | Phillips C W | Waters R B |
| Cheney | Goodman | Levy A J | Phillips J S | Weil |
| Coffey | Goodwin | Levy J | Saunders | Wende |
| Collin | Gould | Macdonald | Schifferdecker | Wheeler |
| Colné | Graubard | MacGregor | Seeley | Wilson |
| Constantine | Gregg | Manley | Shannon | Winters |
| Cosad | Gurnett | Martin | Sheide | Yale |
| Cross | Hackett | McCue | Shepardson | Yeomans |
| Cuvillier | Haines | McDaniels | Shlivek | Young |
| Day | Hammond | McElligott | Shortt | Zorn |
| DeLano | Hart | McGrath | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1422, Senate Reprint No. 2236, Int. No. 1206), entitled "An act to amend chapter five hundred and six of the Laws of nineteen hundred and two, entitled 'An act to amend the charter of the village of Saratoga Springs, and to provide for the appointment of sewer, water and street commissioners for said village, and to prescribe their powers and duties,' in relation to transfer an application

of certain local improvement funds in said village," with a message that they have concurred in the passage of the same, with the following amendments:

Page 3, line 23, after the word "power" insert the following in italics: "after a resolution of the board of trustees permitting the same and upon the approval in writing of the president of the village."

Page 4, line 3, after the word "authorized" insert the following in italics: "Upon there being filed in his office a certified copy of a resolution of the board of trustees permitting the same and the approval in writing of the president of the village."

Mr. Martin moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hammond | McElligott | Shortt |
| Allen | DeLano | Hart | McGrath | Smith A E |
| Baumes | Donnelly | Hearn | McKeon | Smith T K |
| Beach | Donovan | Herrick J J | Merritt | Spielberg |
| Blauvelt | Drummond | Herrick W R | Miller | Stivers |
| Boylan | Egan | Heyman | Monczynski | Sweet |
| Brace | Evans | Higgins | Mork | Talmage |
| Brennan | Farrell | Hinman | Murray | Terry |
| Brereton | Fav | Hoey | Myers | Thorn |
| Bridenbecker | Fillely | Hoff | Neupert | Trombly |
| Brooks | Fitzpatrick | Hoyt | Nolan | Turley |
| Brown | Foley | Huber | Oliver | Walker |
| Bryant | Friedman | Jackson | O'Neill J J | Ward |
| Bush | Geatons | Jame:son | O'Neil M A | Waring |
| Butler | Gerhardt | Jones | Pappert | Warren |
| Carew | Gerken | Kennedy | Parker A | Washburn |
| Caughlan | Gillen | Kopp | Parker J S | Waters F A |
| Chanler | Goldberg | Lansing | Patrie | Waters R B |
| Ch'ney | Goldstein | LaReau | Phillips C W | Weil |
| Coffey | Goodman | Levy A J | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Saunders | Wheeler |
| Colné | Gould | Macdonald | Schifferdecker | Wilson |
| Constantine | Graubard | MacGregor | Seeley | Winters |
| Cosad | Gregg | Manley | Shannon | Yale |
| Cross | Gurnett | Martin | Sheide | Yeomans |
| Cuvillier | Hackett | McCue | Shepardson | Young |
| Dawson | Haines | McDaniels | Shlivek | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

A message was received from the Senate, in the words following:

IN SENATE, *July 21, 1911.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 1430, Senate Reprint 2248, Rec. No. 291), entitled "An act to amend chapter twenty-four of the Laws of nineteen hundred and nine, entitled 'An act relating to the protection of the forests, fish and game of the State, constituting chapter nineteen of the Consolidated Laws.'"

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Roosevelt, and by unanimous consent, the same was amended as follows:

Page 3, line 10, place bracket before the word "may" and insert after the word "commissioner" the following in italics "or his successors at their discretion may".

Page 3, line 11, at the beginning of said line place bracket around "tion".

Page 3, line 13, after the word "commissioner" at the end of said line insert the words "or his successors".

Said bill, as amended, was reprinted, re-engrossed, and having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

PATRICK E. McCABE,

Clerk.

Said bill having been announced,

Mr. Gurnett moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------|----------|-------------|------------|-----------|
| Adler | Day | Hammond | McElligott | Shortt |
| Allen | DeLano | Hart | McGrath | Smith A E |
| Baumes | Donnelly | Hearn | McKeon | Smith T K |
| Beach | Donovan | Herrick J J | Merritt | Spielberg |

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Blauvelt | Drummond | Herrick W R | Miller | Stivers |
| Boylan | Egan | Heyman | Monczynski | Sweet |
| Brace | Evans | Higgins | Mork | Talmage |
| Brennan | Farrell | Hinman | Murray | Terry |
| Brereton | Fay | Hoey | Myers | Thorn |
| Bridenbecker | Filley | Hoff | Neupert | Trombly |
| Brooks | Fitzpatrick | Hoyt | Nolan | Turley |
| Brown | Foley | Huber | Oliver | Walker |
| Bryant | Friedman | Jackson | O'Neill J J | Waid |
| Bush | Geatons | Jameson | O'Neil M A | Waring |
| Butler | Gerhardt | Jones | Pappert | Warren |
| Carew | Gerken | Kennedy | Parker A | Washburn |
| Caughlan | Gillen | Kopp | Parker J S | Waters F A |
| Chanler | Goldberg | Lansing | Patrie | Waters R B |
| Cheney | Goldstein | LaReau | Phillips C W | Weil |
| Coffey | Goodman | Levy A J | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Saunders | Wheeler |
| Colné | Gould | Macdonald | Schifferdecker | Wilson |
| Constantine | Graubard | MacGregor | Seeley | Winters |
| Cosad | Gregg | Manley | Shannon | Yale |
| Cross | Gurnett | Martin | Sheide | Yeomans |
| Cuvillier | Hackett | McCue | Shepardson | Young |
| Dawson | Haines | McDaniels | Shlivek | Zorn |

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Day | Hammond | McElligott | Shortt |
| Allen | DeLano | Hart | McGrath | Smith A E |
| Baumes | Donnelly | Hearn | McKeon | Smith T K |
| Beach | Donovan | Herrick J J | Merritt | Spielberg |
| Blauvelt | Drummond | Herrick W R | Miller | Stivers |
| Boylan | Egan | Heyman | Monczynski | Sweet |
| Brace | Evans | Higgins | Mork | Talmage |
| Brennan | Farrell | Hinman | Murray | Terry |
| Brereton | Fay | Hoey | Myers | Thorn |
| Bridenbecker | Filley | Hoff | Neupert | Trombly |
| Brooks | Fitzpatrick | Hoyt | Nolan | Turley |
| Brown | Foley | Huber | Oliver | Walker |
| Bryant | Friedman | Jackson | O'Neill J J | Ward |
| Bush | Geatons | Jameson | O'Neil M A | Waring |
| Butler | Gerhardt | Jones | Pappert | Warren |
| Carew | Gerken | Kennedy | Parker A | Washburn |
| Caughlan | Gillen | Kopp | Parker J S | Waters F A |
| Chanler | Goldberg | Lansing | Patrie | Waters R B |
| Cheney | Goldstein | LaReau | Phillips C W | Weil |
| Coffey | Goodman | Levy A J | Phillips J S | Wende |

| | | | | |
|-------------|----------|-----------|----------------|---------|
| Collin | Goodwin | Levy J | Saunders | Wheeler |
| Colné | Gould | Macdonald | Schifferdecker | Wilson |
| Constantine | Graubard | MacGregor | Seeley | Winters |
| Cosad | Gregg | Manley | Shannon | Yale |
| Cross | Gurnett | Martin | Sheide | Yeomans |
| Cuvillier | Hackett | McCue | Shepardson | Young |
| Dawson | Haines | McDaniels | Shlivek | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

A message was received from the Senate, in the words following:

IN SENATE, *July 20, 1911.*

Pursuant to concurrent resolution of the Senate and Assembly, the mayor of the city of Hornell returned the Senate bill (No 1873, Reprint No. 2245, Rec. No. 498), entitled "An act to legalize, ratify and confirm all the proceedings of the city of Hornell and of its common council, boards, officers and agents, and the qualified resident taxpayers thereof, relative to the issue of the bonds of said city in the amount of eighty thousand dollars, for the purpose of purchasing the necessary lands and constructing thereon a storage reservoir in connection with its municipal water system, and for building an additional pipe line from the filters to the city, and to authorize the issue thereof, and providing for the resale of said bonds in case of certain conditions."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Murtaugh, and by unanimous consent, the same was amended as follows:

Page 2, line 13, strike out the work "thirty" and insert in place thereof the word "eighty".

Said bill, as amended, was reprinted, re-engrossed, and having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

PATRICK E. McCABE,

Clerk.

Said bill having been announced,

Mr. Bush moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all

the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hammond | McElligott | Shortt |
| Allen | DeLano | Hart | McGrath | Smith A E |
| Baumes | Donnelly | Hearn | McKeon | Smith T K |
| Beach | Donovan | Herrick J J | Merritt | Spielberg |
| Blauvelt | Drummond | Herrick W R | Miller | Stivers |
| Boylan | Egan | Heyman | Monczynski | Sweet |
| Brace | Evans | Higgins | Mork | Talmage |
| Brennan | Farrell | Hinman | Murray | Terry |
| Brereton | Fay | Hoey | Myers | Thorn |
| Bridenbecker | Filley | Hoff | Neupert | Trombly |
| Brooks | Fitzpatrick | Hoyt | Nolan | Turley |
| Brown | Foley | Huber | Oliver | Walker |
| Bryant | Friedman | Jackson | O'Neill J J | Ward |
| Bush | Geatons | Jameson | O'Neil M A | Waring |
| Butler | Gerhardt | Jones | Pappert | Warren |
| Carew | Gerken | Kennedy | Parker A | Washburn |
| Caughlan | Gillen | Kopp | Parker J S | Waters F A |
| Chanler | Goldberg | Lansing | Patrie | Waters R B |
| Cheney | Goldstein | LaReau | Phillips C W | Weil |
| Coffey | Goodman | Levy A J | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Saunders | Wheeler |
| Colné | Gould | Macdonald | Schifferdecker | Wilson |
| Constantine | Graubard | MacGregor | Seeley | Winters |
| Cosad | Gregg | Manley | Shannon | Yale |
| Cross | Gurnett | Martin | Sheide | Yeomans |
| Cuvillier | Hackett | McCue | Shepardson | Young |
| Dawson | Haines | McDaniels | Shlivek | Zorn |

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Adler | Day | Hammond | McElligott | Shortt |
| Allen | DeLano | Hart | McGrath | Smith A E |
| Baumes | Donnelly | Hearn | McKeon | Smith T K |
| Beach | Donovan | Herrick J J | Merritt | Spielberg |
| Blauvelt | Drummond | Herrick W R | Miller | Stivers |
| Boylan | Egan | Heyman | Monczynski | Sweet |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Brace | Evans | Higgins | Mork | Talmage |
| Brennan | Fairrell | Hinman | Murray | Terry |
| Brereton | Fay | Hoev | Myers | Thorn |
| Bridenbecker | Filley | Hoff | Neupert | Trombly |
| Brooks | Fitzpatrick | Hoyt | Nolan | Turley |
| Brown | Foley | Huber | Oliver | Walker |
| Bryant | Friedman | Jackson | O'Neill J J | Ward |
| Bush | Geatons | Jameson | O'Neil M A | Waring |
| Butler | Gerhardt | Jones | Pappert | Warren |
| Carew | Gerken | Kennedy | Parker A | Washburn |
| Caughlan | Gillen | Kopp | Parker J S | Waters F A |
| Chanler | Goldberg | Lansing | Patrie | Waters R B |
| Cheney | Goldstein | LaReau | Phillips C W | Weil |
| Coffey | Goodman | Levy A J | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Saunders | Wheeler |
| Colné | Gould | Macdonald | Schifferdecker | Wilson |
| Constantine | Graubard | MacGregor | Seeley | Winters |
| Cosad | Griegg | Manley | Shannon | Yale |
| Cross | Gurnett | Martin | Sheide | Yeomans |
| Cuvillier | Hackett | McCue | Shepardson | Young |
| Dawson | Haines | McDaniels | Shlivek | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

Mr. Speaker announced the special order, being the bill (No. 1990, Int. No. 1633), entitled "An act to amend the Education Law, in relation to the establishment, management and objects of a State school of agriculture at Keuka College in Keuka Park in the county of Yates, and making an appropriation therefor."

On motion of Mr. Collin, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------|----------|-------------|------------|-----------|
| Adler | Day | Hammond | McElligott | Shortt |
| Allen | DeLano | Hart | McGrath | Smith A E |
| Baumes | Donnelly | Hearn | McKeon | Smith T K |
| Beach | Donovan | Herrick J J | Merritt | Spielberg |

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Blauvelt | Drummond | Herrick W R | Miller | Stivers |
| Boylan | Egan | Heyman | Monczynski | Sweet |
| Brace | Evans | Higgins | Mork | Talm: g |
| Brennan | Farrell | Hinman | Murray | Terry |
| Brereton | Fay | Hoev | Myers | Thorn |
| Bridenbecker | Filley | Hoff | Neupert | Trombly |
| Brooks | Fitzpatrick | Hoyt | Nolan | Turley |
| Brown | Foley | Huber | Oliver | Walker |
| Bryant | Friedman | Jackson | O'Neil J J | Ward |
| Bush | Geatons | Jameson | O'Neil M A | Waring |
| Butler | Gerhardt | Jones | Pappert | Warren |
| Carew | Gerken | Kennedy | Parker A | Washburn |
| Caughlan | Gillen | Kopp | Parker J S | Waters F A |
| Chanler | Goldberg | Lansing | Patrie | Waters R B |
| Cheney | Goldstein | LaReau | Phillips C W | Weil |
| Coffey | Goodman | Levy A J | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Saunders | Wheeler |
| Colné | Gould | Macdonald | Schifferdecker | Wilson |
| Constantine | Graubard | MacGregor | Seeley | Winters |
| Cosad | Gregg | Manley | Shannon | Yale |
| Cross | Gurnett | Martin | Sheide | Yeomans |
| Cuvillier | Hackett | McCue | Shepardson | Young |
| Dawson | Haines | McDaniels | Shlivek | Zorn |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 3, Int. No. 3), entitled "An act to provide for the erection of a new armory building in the city of Mount Vernon, New York, the acquisition of a site for the same, and making an appropriation therefor, and providing for the sale of the old armory site and buildings, and the application of the proceeds to such new building and for other purposes relative to the same."

On motion of Mr. Coffey, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

| | | | | |
|-------|--------|---------|------------|-----------|
| Adler | Day | Hammond | McElligott | Shortt |
| Allen | DeLano | Hart | McGrath | Smith A E |

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Baumes | Donnelly | Hearn | McKeon | Smith T K |
| Beach | Donovan | Herrick J J | Merritt | Spielberg |
| Blauvelt | Drummond | Herrick W R | Miller | Stivers |
| Boylan | Egan | Heyman | Monczynski | Sweet |
| Brace | Evans | Higgins | Mork | Talmage |
| Brennan | Farrell | Hinman | Murray | Terry |
| Brereton | Fay | Hoey | Myers | Thorn |
| Bridenbecker | Filley | Hoff | Neupert | Trombly |
| Brooks | Fitzpatrick | Hoyt | Nolan | Turley |
| Brown | Foley | Huber | Oliver | Walker |
| Bryant | Friedman | Jackson | O'Neill J J | Ward |
| Bush | Geatons | Jameson | O'Neil M A | Waring |
| Butler | Gerhardt | Jones | Pappert | Warren |
| Carew | Gerken | Kennedy | Parker A | Washburn |
| Caughlan | Gillen | Kopp | Parker J S | Waters F A |
| Chanler | Goldberg | Lansing | Patrie | Waters R B |
| Cheney | Goldstein | LaReau | Phillips C W | Weil |
| Coffey | Goodman | Levy A J | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Saunders | Wheeler |
| Colné | Gould | Macdonald | Schifferdecker | Wilson |
| Constantine | Graubard | MacGregor | Seeley | Winters |
| Cosad | Gregg | Manley | Shannon | Yale |
| Cross | Gurnett | Martin | Sheide | Yeomans |
| Cuvillier | Hackett | McCue | Shepardson | Young |
| Dawson | Haines | McDaniels | Shlivek | Zorn |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1196, Rec. No. 195), entitled "An act to provide for deepening and straightening Bergholtz creek and Cayuga creek in the town of Niagara, Niagara county, and making an appropriation therefor."

On motion of Mr. Gould, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------|----------|---------|------------|-----------|
| Adler | Day | Haines | McDaniels | Shortt |
| Allen | DeLano | Hammond | McElligott | Smith A E |
| Baumes | Donnelly | Hart | McGrath | Smith T K |

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Beach | Donovan | Hearn | McKeon | Spielberg |
| Blauvelt | Drummond | Herrick J J | Merritt | Stivers |
| Boylan | Egan | Higgins | Miller | Sweet |
| Brace | Evans | Hinman | Monczynski | Talmage |
| Brennan | Farrell | Hoey | Mork | Terry |
| Bridenbecker | Fay | Hoyt | Murray | Thorn |
| Brooks | Filley | Huber | Myers | Trombly |
| Brown | Fitzpatrick | Jackson | Neupert | Ward |
| Bryant | Foley | Jameson | Nolan | Waring |
| Bush | Friedman | Jones | O'Neill J J | Warren |
| Carew | Geatons | Kennedy | O'Neil M A | Waters R B |
| Chanler | Gerhardt | Kopp | Pappert | Weil |
| Cheney | Gerken | Lansing | Parker A | Wende |
| Coffey | Gillen | LaReau | Parker J S | Wheeler |
| Collin | Goldberg | Levy A J | Patrie | White |
| Colné | Goodwin | Levy J | Phillips C W | Wilson |
| Connell | Gould | Macdonald | Phillips J S | Winters |
| Constantine | Graubard | MacGregor | Schifferdecker | Yale |
| Cosad | Gregg | Manley | Seeley | Yeomans |
| Cross | Gurnett | Martin | Shannon | Young |
| Cuvillier | Hackett | McCue | Shepardson | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2257, Rec. No. 642), entitled "An act providing for the reconstruction and decoration of the State Capitol and making appropriations therefor, and making appropriations for the construction, equipment and decoration of the State Education building and for the construction and equipment of the Capitol power house."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it; therefore, in accordance with the provision of section 15 of article 3 of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill (Int. No. 1665, Printed No. 2257), entitled "An act providing for the reconstruction and decoration of the State Capitol, and making appropriations therefor, and making appropriations for the construction, equipment

and decoration of the State Education building and for the construction and equipment of the Capitol power house."

Given under my hand and the Privy Seal of the State at the Capitol in the city of Albany this twenty-first day [L. s.] of July in the year of our Lord, one thousand nine hundred and eleven.

JOHN A. DIX.

By the Governor:

JOHN A. MASON,

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 2

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Smith A E |
| Allen | Donnelly | Hearn | McKeon | Smith T K |
| Baumes | Donovan | Herrick J J | Merritt | Spielberg |
| Beach | Drummond | Herrick W R | Miller | Stivers |
| Blauvelt | Egan | Higgins | Monczynski | Sullivan |
| Boylan | Evans | Hinman | Mork | Sweet |
| Brace | Farrell | Hoey | Myers | Talmage |
| Brennan | Fay | Hoff | Neupert | Terry |
| Brereton | Filley | Hollmann | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hoyt | Oliver | Trombly |
| Brooks | Foley | Huber | O'Neill J J | Turley |
| Brown | Friedman | Jackson | O'Neil M A | Walker |
| Bryant | Geatons | Jameson | Pappert | Waring |
| Bush | Gerhardt | Jones | Parker A | Warren |
| Butler | Gerken | Kennedy | Parker J S | Washburn |
| Carew | Gillen | Kopp | Patrie | Waters F A |
| Caughlan | Goldberg | Lansing | Phillips C W | Waters R B |
| Chanler | Goldstein | LaReau | Phillips J S | Weil |
| Cheney | Goodman | Levy A J | Pierce | Wende |
| Coffey | Goodwin | Levy J | Saunders | Wheeler |
| Collin | Gould | Macdonald | Schifferdecker | White |
| Colné | Glaubard | MacGregor | Seeley | Wilson |
| Constantine | Gregg | Manley | Shannon | Winters |
| Cosad | Gurnett | Martin | Sheide | Yale |
| Cross | Hackett | McCue | Shepardson | Yeomans |
| Cuvillier | Haines | McDaniels | Shlivek | Young |
| Dawson | Hammond | McElligott | Shortt | Zorn |
| Day | | | | |

Those who voted in the negative were:

Murray

Ward

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2264, Rec. No. 638), entitled "An act to provide ways and means for the support of the government."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it; therefore, in accordance with the provision of section 15 of article 3 of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill (Int. No. 1669, Rec. No. 2264), entitled "An act to provide ways and means for the support of government."

Given under my hand and the Privy Seal of the State at the Capitol in the city of Albany this twenty-first day
[L. S.] of July in the year of our Lord, one thousand nine hundred and eleven.

JOHN A. DIX.

By the Governor:

JOHN A. MASON,

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 9

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Gurnett | McCue | Shlivek |
| Allen | Day | Hackett | McDaniels | Shortt |
| Baumes | DeLano | Hammond | McElligott | Smith A E |
| Beach | Donnelly | Hart | McGrath | Spielberg |
| Blauvelt | Donovan | Hearn | McKeon | Stivers |
| Boylan | Drummond | Herrick J J | Merritt | Sweet |
| Brace | Egan | Herrick W R | Miller | Talmage |
| Brennan | Evans | Higgins | Monczynski | Terry |
| Bridenbecker | Farrell | Hinman | Mork | Trombly |
| Brooks | Fay | Hoey | Myers | Turley |
| Brown | Filley | Hoff | Neupert | Walker |
| Bryant | Fitzpatrick | Hollmann | Oliver | Waring |
| Bush | Foley | Hoyt | O'Neill J J | Warren |
| Butler | Friedman | Huber | O'Neil M A | Washburn |
| Carew | Geatons | Jackson | Pappert | Waters F A |
| Caughlan | Gerhardt | Jameson | Parker A | Waters R B |
| Chanler | Gerken | Jones | Patrie | Weil |
| Cheney | Gillen | Kennedy | Phillips C W | Wende |
| Coffey | Goldberg | Kopp | Phillips J S | Wheeler |
| Collin | Goldstein | Lansing | Saunders | Wilson |
| Colné | Goodman | LaReau | Schifferdecker | Winters |
| Constantine | Goodwin | Levy A J | Seeley | Yale |
| Cosad | Gould | Levy J | Shannon | Yeomans |
| Cross | Graubard | Manley | Sheide | Young |
| Cuvillier | Gregg | Martin | Shepardson | Zorn |

Those who voted in the negative were:

| | | | | |
|-----------|-----------|------------|-----------|------|
| Haines | MacGregor | Nolan | Smith T K | Ward |
| Macdonald | Murray | Parker J S | Thorn | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2182, Rec. No. 641), entitled "An act to amend chapter three hundred and thirty-six of the Laws of nineteen hundred and three, entitled 'An act to provide for the erection of a court house in the county of New York, and authorizing the acquisition of a site therefor.'"

Said bill having been announced,

Mr. Ward moved to amend as follows:

On page 1, line 1, after the numeral "1" strike out the words "Section fourteen of" and the letter "c" of the word "chapter", and insert capital "C".

Line 8, after the word "amended" strike out the words "to read as" and insert in place thereof the following: "by adding a new section to be numbered 15-a and to read as follows:".

Line 9, strike out the word " follows ".

On page 2, beginning with the paragraph strike out the printed matter on pages 2, 3 and 4, down to and including the word " act " on page 4, and insert in place thereof the following:

" § 15-a. But notwithstanding any provisions in this act to the contrary, the board of estimate and apportionment of the city of New York shall have for the period of six months from the passage of this amendatory act, the exclusive power and authority to select, locate, designate, and set apart, and to enlarge, diminish, modify, change, abandon, re-locate, re-designate and re-select a site for the said court house without the recommendation for concurrence therein of the said court house board; but if upon the expiration of such period a site shall not have been selected by the said board of estimate and apportionment, or a selection and designation by said board, shall not then be in effect, then the said court house board shall have exclusive power and authority for a like period of six months, to select, designate, locate and fix upon such site, provided, however, that the said court house board shall have no power during the period of its exclusive right of selection and designation, to select or designate any part of City Hall park as such site; and the said court house board shall report such selection, designation, and location to the board of estimate and apportionment, and upon the delivery of such report to the board of estimate and apportionment, the site so selected, located and set apart by said court house board shall be and become the court house site provided for in this act, without requiring any approval by the board of estimate and apportionment, and all other provisions of this act shall have the same force and effect as if such site were approved by said board of estimate and apportionment. Immediately after the selection of the site in either of the ways thus provided, the said court house board shall proceed with the preparation of plans and specifications for the erection of a court house on the said site, the preparation of the contract or contracts for the performance of all work contemplated by the said plans and specifications and the erection of the court house in conformity therewith, in accordance with the prior provisions of this act. After the expiration of the said period of six months during which the said board of estimate and apportionment shall have exclusive power of designation as aforesaid, and after any original selection and designation of a site by the said court house board thereafter during the period of its exclusive right of designation as aforesaid, any determination to acquire any additional real property or interest therein under this act, and original selection and designation made after a period of one year from the passage of this act, or additions thereto, shall be governed by the provisions of

the prior sections of this act, and shall require the concurrence of both the said boards in the manner and with the effect therein provided."

Page 4, line 7, strike out the numeral " 3 " and insert in place thereof the numeral " 2 ".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 79

NOES 26

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-----------|
| Allen | Donovan | Gurnett | McDaniels | Seeley |
| Beach | Drummond | Hackett | McElligott | Sheide |
| Boylan | Egan | Hearn | McGrath | Shortt |
| Brace | Farrell | Herrick J J | McKeon | Smith A E |
| Brennan | Fay | Herick W R | Miller | Spielberg |
| Bridenbecker | Fitzpatrick | Hoey | Monczynski | Terry |
| Bush | Foley | Hoyt | Mork | Trombly |
| Carew | Geatons | Huber | Myers | Turley |
| Caughlan | Gerhardt | Jackson | Neupert | Walker |
| Chanler | Gerken | Jameson | Oliver | Washburn |
| Collin | Gillen | LaReau | O'Neill J J | Weil |
| Cosad | Goldberg | Levy A J | O'Neil M A | Wende |
| Cuvillier | Goldstein | Levy J | Parker A | Wheeler |
| Dawson | Gould | Manley | Patrie | Zorn |
| Day | Graubard | Martin | Saunders | Speaker |
| Donnelly | Gregg | McCue | Schifferdecker | |

Those who voted in negative were:

| | | | | |
|----------|-----------|--------------|----------|------------|
| Adler | Higgins | Murray | Shannon | Warren |
| Baumes | Jones | Nolan | Stivers | Waters F A |
| Filley | Kennedy | Pappert | Sullivan | Waters R B |
| Friedman | MacGregor | Phillips C W | Thorn | Winters |
| Goodman | Merritt | Phillips J S | Ward | Yeomans |
| Hart | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2250, Rec. No. 637), entitled "An act in relation to certain security and surety bonds given to cities of the second and third class."

On motion of Mr. Manley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hearn | McKeon | Smith A E |
| Allen | Donnelly | Herrick J J | Merritt | Smith T K |
| Baumes | Donovan | Herrick W R | Miller | Spielberg |
| Beach | Drummond | Heyman | Monczynski | Stivers |
| Blauvelt | Egan | Higgins | Mork | Sullivan |
| Boylan | Evans | Hinman | Murray | Sweet |
| Brace | Farrell | Hoey | Myers | Talmage |
| Brennan | Fay | Hoff | Neupert | Terry |
| Brereton | Filley | Hoyt | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Huber | Oliver | Trombly |
| Brooks | Foley | Jackson | O'Neill J J | Turley |
| Brown | Friedman | Jameson | O'Neil M A | Walker |
| Bryant | Geatons | Jones | Pappert | Ward |
| Bush | Gerhardt | Kennedy | Parker A | Waring |
| Butler | Gerken | Kopp | Phillips J S | Warren |
| Carew | Gillen | Lansing | Patrie | Washburn |
| Caughlan | Goldberg | LaReau | Phillips C W | Waters F A |
| Chanler | Goldstein | Levy A J | Phillips J S | Waters R B |
| Cheney | Goodman | Levy J | Pierce | Weil |
| Coffey | Goodwin | Macdonald | Saunders | Wende |
| Collin | Gould | MacGregor | Schifferdecker | Wheeler |
| Colné | Graubard | Manley | Seeley | Wilson |
| Constantine | Gregg | Martin | Shannon | Winters |
| Cosad | Gurnett | McCue | Sheide | Yale |
| Cross | Hackett | McDaniels | Shepardson | Yeomans |
| Cuvillier | Haines | McElligott | Shlivek | Young |
| Dawson | Hammond | McGrath | Shortt | Zorn |
| Day | Hart | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2263, Rec. No. 639), entitled "An act to repeal chapters

four hundred and seventy-four, four hundred and eighty-three and four hundred and eighty-four of the Laws of nineteen hundred and eleven, making appropriations for contributions to various sinking funds.”

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it; therefore, in accordance with the provision of section 15 of article 3 of the Constitution and by virtue of the authority conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill (Int. No. 1668, Printed No. 2263), entitled “An act to repeal chapters four hundred and seventy-four, four hundred and eighty-three and four hundred and eighty-four of the Laws of nineteen hundred and eleven, making appropriations for contributing to various sinking funds.”

Given under my hand and the Privy Seal of the State at the Capitol in the city of Albany this twenty-first
[L. S.] day of July in the year of our Lord, one thousand nine hundred and eleven.

JOHN A. DIX.

By the Governor:

JOHN A. MASON,

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members lected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------|----------|-------------|---------|-----------|
| Adler | DeLano | Hearn | McKeon | Smith A E |
| Allen | Donnelly | Herrick J J | Merritt | Smith T K |
| Baumes | Donovan | Herrick W R | Miller | Spielberg |

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Beach | Drummond | Heyman | Monczynski | Stivers |
| Blauvelt | Egan | Higgins | Mork | Sullivan |
| Boylan | Evans | Hinman | Murray | Sweet |
| Brace | Farrell | Hoey | Myers | Talmage |
| Brennan | Fay | Hoff | Neupert | Terry |
| Brereton | Filley | Hoyt | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Huber | Oliver | Trombly |
| Brooks | Foley | Jackson | O'Neill J J | Turley |
| Brown | Friedman | Jameson | O'Neil M A | Walker |
| Bryant | Geatons | Jones | Pappert | Ward |
| Bush | Gerhardt | Kennedy | Parker A | Waring |
| Butler | Gerken | Kopp | Parker J S | Warren |
| Carew | Gillen | Lansing | Patrie | Washburn |
| Caughlan | Goldberg | LaReau | Phillips C W | Waters F A |
| Chanler | Goldstein | Levy A J | Phillips J S | Waters R B |
| Cheney | Goodman | Levy J | Pierce | Weil |
| Coffey | Goodwin | Macdonald | Saunders | Wende |
| Collin | Gould | MacGregor | Schifferdecker | Wheeler |
| Colné | Graubard | Manley | Seeley | Wilson |
| Constantine | Gregg | Martin | Shannon | Winters |
| Cosad | Gurnett | McCue | Sheide | Yale |
| Cross | Hackett | McDaniels | Shepardson | Yeomans |
| Cuvillier | Haines | McElligott | Shlivek | Young |
| Dawson | Hammond | McGrath | Shortt | Zorn |
| Day | Hart | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2229, Rec. No. 640), entitled "An act to amend the Tax Law, in relation to clerks in surrogate's court, Kings county."

On motion of Mr. M. A. O'Neil, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Adler | DeLano | Hearn | McKeon | Smith A E |
| Allen | Donnelly | Herrick J J | Merritt | Smith T K |
| Baumes | Donovan | Herrick W R | Miller | Spielberg |
| Beach | Drummond | Heyman | Monczynski | Stivers |
| Blauvelt | Egan | Higgins | Mork | Sullivan |

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Boylan | Evans | Hinman | Murray | Sweet |
| Brace | Farrell | Hoey | Myers | Talmage |
| Brennan | Fay | Hoff | Neupert | Terry |
| Brereton | Filley | Hoyt | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Huber | Oliver | Trombly |
| Brooks | Foley | Jackson | O'Neill J J | Turley |
| Brown | Friedman | Jameson | O'Neil M A | Walker |
| Bryant | Geatons | Jones | Pappert | Ward |
| Bush | Gerhardt | Kennedy | Parker A | Waring |
| Butler | Gerken | Kopp | Parker J S | Warren |
| Carew | Gillen | Lansing | Patrie | Washburn |
| Caughlan | Goldberg | LaReau | Phillips C W | Waters F A |
| Chanler | Goldstein | Levy A J | Phillips J S | Waters R B |
| Cheney | Goodman | Levy J | Pierce | Weil |
| Coffey | Goodwin | Macdonald | Saunders | Wende |
| Collin | Gould | MacGregor | Schifferdecker | Wheeler |
| Colné | Graubard | Manley | Seeley | Wilson |
| Constantine | Gregg | Martin | Shannon | Winters |
| Cosad | Gurnett | McCue | Sheide | Yale |
| Cross | Hackett | McDaniels | Shepardson | Yeomans |
| Cuvillier | Haines | McElligott | Shlivek | Young |
| Dawson | Hammond | McGrath | Shortt | Zorn |
| Day | Hart | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2223, Rec. No. 583), entitled "An act to amend the Forest, Fish and Game Law, in relation to the open season for deer."

On motion of Mr. Evans, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Adler | DeLano | Hearn | McKeon | Smith A E |
| Allen | Donnelly | Herrick J J | Merritt | Smith T K |
| Baumes | Donovan | Herrick W R | Miller | Spielberg |
| Beach | Drummond | Heyman | Monczynski | Stivers |
| Blauvelt | Egan | Higgins | Mork | Sullivan |
| Boylan | Evans | Hinman | Murray | Sweet |
| Brace | Farrell | Hoey | Myers | Talmage |
| Brennan | Fay | Hoff | Neupert | Terry |
| Brereton | Filley | Hoyt | Nolan | Thorn |

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Bridenbecker | Fitzpatrick | Huber | Oliver | Trombly |
| Brooks | Foley | Jackson | O'Neill J J | Turley |
| Brown | Friedman | Jameson | O'Neil M A | Walker |
| Bryant | Geatons | Jones | Pappert | Ward |
| Bush | Gerhardt | Kennedy | Parker A | Waring |
| Butler | Gerken | Kopp | Parker J S | Warren |
| Carew | Gillen | Lansing | Patrie | Washburn |
| Caughlan | Goldberg | LaReau | Phillips C W | Waters F A |
| Chanler | Goldstein | Levy A J | Phillips J S | Waters R B |
| Cheney | Goodman | Levy J | Pierce | Weil |
| Coffey | Goodwin | Macdonald | Saunders | Wende |
| Collin | Gould | MacGregor | Schifferdecker | Wheeler |
| Colné | Graubard | Manley | Seeley | Wilson |
| Constantine | Gregg | Martin | Shannon | Winters |
| Cosad | Gurnett | McCue | Sheide | Yale |
| Cross | Hackett | McDaniels | Shepardson | Yeomans |
| Cuvillier | Haines | McElligott | Shlivek | Young |
| Dawson | Hammond | McGrath | Shortt | Zorn |
| Day | Hart | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2199, Rec. No. 635), entitled "An act authorizing the appointment of a police justice in the village of Elmsford, in Westchester county, and relating to his power, jurisdiction and duties."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of the bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Adler | DeLano | Hearn | McKeon | Smith A E |
| Allen | Donnelly | Herrick J J | Merritt | Smith T K |
| Baumes | Donovan | Herrick W R | Miller | Spielberg |
| Beach | Drummond | Heyman | Monczynski | Stivers |
| Blauvelt | Egan | Higgins | Mork | Sullivan |
| Boylan | Evens | Hinman | Murray | Sweet |
| Brace | Farrell | Hoey | Myers | Talmage |
| Brennan | Fay | Hoff | Neupert | Terry |

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Brereton | Filley | Hoyt | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Huber | Oliver | Trombly |
| Brooks | Foley | Jackson | O'Neill J J | Turley |
| Brown | Friedman | Jameson | O'Neil M A | Walker |
| Bryant | Geatons | Jones | Pappert | Ward |
| Bush | Gerhardt | Kennedy | Parker A | Waring |
| Butler | Gerken | Kopp | Parker J S | Warren |
| Carew | Gillen | Lansing | Patrie | Washburn |
| Caughlan | Goldberg | LaReau | Phillips C W | Waters F A |
| Chanler | Goldstein | Levy A J | Phillips J S | Waters R B |
| Cheney | Goodman | Levy J | Pierce | Weil |
| Coffey | Goodwin | Macdonald | Saunders | Wende |
| Collin | Gould | MacGregor | Schifferdecker | Wheeler |
| Colné | Graubard | Manley | Seeley | Wilson |
| Constantine | Gregg | Martin | Shannon | Winters |
| Cosad | Gurnett | McCue | Sheide | Yale |
| Cross | Hackett | McDaniels | Shepardson | Yeomans |
| Cuvillier | Haines | McElligott | Shlivek | Young |
| Dawson | Hammond | McGrath | Shortt | Zorn |
| Day | Hart | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1912, Rec. No. 173), entitled "An act to amend the Penal Law, relative to misconduct by directors or trustees of moneyed corporations."

On motion of Mr. Foley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Adler | DeLano | Hearn | McKeon | Smith A E |
| Allen | Donnelly | Herrick J J | Merritt | Smith T K |
| Baumes | Donovan | Herrick W R | Miller | Spielberg |
| Beach | Drummond | Heyman | Monczynski | Stivers |
| Blauvelt | Egan | Higgins | Mork | Sullivan |
| Boylan | Evans | Hinman | Murray | Sweet |
| Brace | Farrell | Hoey | Myers | Talmage |
| Brennan | Fay | Hoff | Neupert | Terry |
| Brereton | Filley | Hoyt | Nolan | Thorn |

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Bridenbecker | Fitzpatrick | Huber | Oliver | Trombly |
| Brooks | Foley | Jackson | O'Neill J J | Turley |
| Brown | Friedman | Jameson | O'Neil M A | Walker |
| Bryant | Geatons | Jones | Pappert | Ward |
| Bush | Gerhardt | Kennedy | Parker A | Waring |
| Butler | Gerken | Kopp | Parker J S | Warren |
| Carew | Gillen | Lansing | Patrie | Washburn |
| Caughlan | Goldberg | LaReau | Phillips C W | Waters F A |
| Chanler | Goldstein | Levy A J | Phillips J S | Waters R B |
| Cheney | Goodman | Levy J | Pierce | Weil |
| Coffey | Goodwin | Macdonald | Saunders | Wende |
| Collin | Gould | MacGregor | Schifferdecker | Wheeler |
| Colné | Graubard | Marley | Seeley | Wilson |
| Constantine | Gregg | Martin | Shannon | Winters |
| Cosad | Gurnett | McCue | Sheide | Yale |
| Cross | Hackett | McDaniels | Shepardson | Yeomans |
| Cuvillier | Haines | McElligott | Shlivek | Young |
| Dawson | Hammond | McGrath | Shortt | Zorn |
| Day | Hart | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1624, Rec. No. 616), entitled "An act to amend subdivision seven of section eight hundred and seventy-two of an act, entitled 'An act relating to courts, officers of justice and civil proceedings,' passed June second, eighteen hundred and seventy-six."

On motion of Mr. Shortt, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Adler | DeLano | Hearn | McKeon | Smith A E |
| Allen | Donnelly | Herrick J J | Merritt | Smith T K |
| Baumes | Donovan | Herrick W R | Miller | Spielberg |
| Beach | Drummond | Heyman | Monczynski | Stivers |
| Blauvelt | Egan | Higgins | Mork | Sullivan |
| Boylan | Evans | Hinman | Murray | Sweet |
| Brace | Farrell | Hoey | Myers | Talmage |
| Brennan | Fay | Hoff | Neupert | Terry |

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Brereton | Filley | Hoyt | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Huber | Oliver | Trombly |
| Brooks | Foley | Jackson | O'Neill J J | Turley |
| Brown | Friedman | Jameson | O'Neil M A | Walker |
| Bryant | Geatons | Jones | Pappert | Ward |
| Bush | Gerhardt | Kennedy | Parker A | Waring |
| Butler | Gerken | Kopp | Parker J S | Warren |
| Carew | Gillen | Lansing | Patrie | Washburn |
| Caughlan | Goldberg | LaReau | Phillips C W | Waters F A |
| Chanler | Goldstein | Levy A J | Phillips J S | Waters R B |
| Cheney | Goodman | Levy J | Pierce | Weil |
| Coffey | Goodwin | Macdonald | Saunders | Wende |
| Collin | Gould | MacGregor | Schifferdecker | Wheeler |
| Colné | Graubard | Manley | Seeley | Wilson |
| Constantine | Gregg | Martin | Shannon | Winters |
| Cosad | Gurnett | McCue | Shaide | Yale |
| Cross | Hackett | McDaniels | Shepardson | Yeomans |
| Cuvillier | Haines | McElligott | Shlivek | Young |
| Dawson | Hammond | McGrath | Shortt | Zorn |
| Day | Hart | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1623, Rec. No. 633), entitled "An act to amend section eight hundred and eighty-one of an act, entitled 'An act relating to courts, officers of justice and civil proceedings,' passed June second, eighteen hundred and seventy-six."

On motion of Mr. Shortt, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 1

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|-------------|-----------|
| Adler | DeLano | Hart | McGrath | Smith A E |
| Allen | Donnelly | Hearn | McKeon | Smith T K |
| Baumes | Donovan | Herrick J J | Merritt | Spielberg |
| Beach | Drummond | Herrick W R | Miller | Stivers |
| Blauvelt | Egan | Heyman | Moneczynski | Sullivan |
| Boylan | Evans | Higgins | Mork | Sweet |
| Brace | Farrell | Hinman | Myers | Talmage |
| Brennan | Fay | Hoey | Neupert | Terry |

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Brereton | Filley | Hoff | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hoyt | Oliver | Trombly |
| Brooks | Foley | Huber | O'Neill J J | Turley |
| Brown | Friedman | Jackson | O'Neil M A | Walker |
| Bryant | Geatons | Jameson | Pappert | Ward |
| Bush | Gerhardt | Jones | Parker A | Waring |
| Butler | Gerken | Kennedy | Parker J S | Warren |
| Carew | Gillen | Kopp | Patrie | Washburn |
| Caughlan | Goldberg | Lansing | Phillips C W | Waters F A |
| Chanler | Goldstein | LaReau | Phillips J S | Waters R B |
| Cheney | Goodman | Levy A J | Pierce | Weil |
| Coffey | Goodwin | Levy J | Saunders | Wende |
| Collin | Gould | Macdonald | Schifferdecker | Wheeler |
| Colné | Graubard | MacGregor | Seeley | Wilson |
| Constantine | Gregg | Manley | Shannon | Winters |
| Cosad | Gurnett | Martin | Sheide | Yale |
| Cross | Hackett | McCue | Shepardson | Yeomans |
| Cuvillier | Haines | McDaniels | Shlivek | Young |
| Dawson | Hammond | McElligott | Shortt | Zorn |
| Day | | | | |

In the negative :

Murray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 203, Rec. No. 609), entitled "Concurrent resolution of the Senate and Assembly, proposing amendments to article twelve of the Constitution, guaranteeing to cities and incorporated villages the right of municipal self-government, and restricting the power of the Legislature to the enactment of general laws in reference thereto."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were :

| | | | | |
|-------|----------|-------------|---------|-----------|
| Adler | DeLano | Hearn | McKeon | Smith A E |
| Allen | Donnelly | Herrick J J | Merritt | Smith T K |

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Baumes | Donovan | Herrick W R | Miller | Spielberg |
| Beach | Drummond | Heyman | Monczynski | Stivers |
| Blauvelt | Egan | Higgins | Mork | Sullivan |
| Boylan | Evans | Hinman | Murray | Sweet |
| Brace | Farrell | Hoey | Myers | Talmage |
| Brennan | Fay | Hoff | Neupert | Terry |
| Brereton | Filley | Hoyt | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Huber | Oliver | Trombly |
| Brooks | Foley | Jackson | O'Neill J J | Turley |
| Brown | Friedman | Jameson | O'Neil M A | Walker |
| Bryant | Geatons | Jones | Pappert | Ward |
| Bush | Gerhardt | Kennedy | Parker A | Waring |
| Butle | Gerken | Kopp | Parker J S | Warren |
| Carew | Gillen | Lansing | Patrie | Washburn |
| Caughlan | Goldberg | LaReau | Phillips C W | Waters F A |
| Chanler | Goldstein | Levy A J | Phillips J S | Waters R B |
| Cheney | Goodman | Levy J | Pierce | Weil |
| Coffey | Goodwin | Macdonald | Saunders | Wende |
| Collin | Gould | MacGregor | Schifferdecker | Wheeler |
| Colné | Graubard | Manley | Seeley | Wilson |
| Constantine | Gregg | Martin | Shannon | Winters |
| Cosad | Gurnett | McCue | Sheide | Yale |
| Cross | Hackett | McDaniels | Shepardson | Yeomans |
| Cuvillier | Haines | McElligott | Shlivek | Young |
| Dawson | Hammond | McGrath | Shortt | Zorn |
| Day | Hart | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2018, Rec. No. 589), entitled "An act authorizing the board of assessors of the city of New York to determine and allow damages sustained by owner of real property in the city of New York by reason of the change of grade of Audubon avenue."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 1

Those who voted in the affirmative were:

| | | | | |
|-------|----------|-------|---------|-----------|
| Adler | DeLano | Hart | McGrath | Smith A E |
| Allen | Donnelly | Hearn | McKeon | Smith T K |

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Baumes | Donovan | Herrick J J | Merritt | Spielberg |
| Beach | Drummond | Herrick W R | Miller | Stivers |
| Blauvelt | Egan | Heyman | Monczynski | Sullivan |
| Boylan | Evans | Higgins | Mork | Sweet |
| Brace | Farrell | Hinman | Myers | Talmage |
| Brennan | Fay | Hoey | Neupert | Terry |
| Breton | Filley | Hoff | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hoyt | Oliver | Trombly |
| Brooks | Foley | Huber | O'Neill J J | Turley |
| Brown | Friedman | Jackson | O'Neil M A | Walker |
| Bryant | Geatons | Jameson | Pappert | Ward |
| Bush | Gerhardt | Jones | Parker A | Waring |
| Butler | Gerken | Kennedy | Parker J S | Warren |
| Carew | Gillen | Kopp | Patrie | Washburn |
| Caughlan | Goldberg | Lansing | Phillips C W | Waters F A |
| Chanler | Goldstein | LaReau | Phillips J S | Waters R B |
| Cheney | Goodman | Levy A J | Pierce | Weil |
| Coffey | Goodwin | Levy J | Saunders | Wende |
| Collin | Gould | Macdonald | Schifferdecker | Wheeler |
| Colné | Graubard | MacGregor | Seeley | Wilson |
| Constantine | Gregg | Manley | Shannon | Winters |
| Cosad | Gurnett | Martin | Sheide | Yale |
| Cross | Hackett | McCue | Shepardson | Yeomans |
| Cuvillier | Haines | McDaniels | Shlivek | Young |
| Dawson | Hammond | McElligott | Shortt | Zorn |
| Day | | | | |

In the negative:

Murray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1158, Rec. No. 565), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section six of article one of the Constitution, in relation to the deprivation of property without due process of law."

Said bill having been announced for a second reading,

On motion of Mr. Foley, said bill was recommitted to the committee on rules.

Mr. Speaker announced the special order, being the Senate bill (No. 2209, Rec. No. 582), entitled "An act to amend the Highway Law, in relation to adding to the State highway system a new State route, in the counties of Greene and Albany."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were :

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hearn | McKeon | Smith A E |
| Allen | Donnelly | Herrick J J | Merritt | Smith T K |
| Baumes | Donovan | Herrick W R | Miller | Spielberg |
| Beach | Drummond | Heyman | Monezynski | Stivers |
| Blauvelt | Egan | Higgins | Mork | Sullivan |
| Boylan | Evans | Hinman | Murray | Sweet |
| Brace | Farrell | Hoev | Myers | Talmage |
| Brennan | Fay | Hoff | Neupert | Terry |
| Brereton | Filley | Hoyt | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Huber | Oliver | Trombly |
| Brooks | Foley | Jackson | O'Neill J J | Turley |
| Brown | Friedman | Jameson | O'Neil M A | Walker |
| Bryant | Geatons | Jones | Pappert | Ward |
| Bush | Gerhardt | Kennedy | Parker A | Waring |
| Butler | Gerken | Kopp | Phillips J S | Warren |
| Carew | Gillen | Lansing | Patrie | Washburn |
| Caughlan | Goldberg | LaReau | Phillips C W | Waters F A |
| Chanler | Goldstein | Levy A J | Phillips J S | Waters R B |
| Cheney | Goodman | Levy J | Pierce | Weil |
| Coffey | Goodwin | Macdonald | Saunders | Wende |
| Collin | Gould | MacGiegor | Schifferdecker | Wheeler |
| Colné | Graubard | Manley | Seeley | Wilson |
| Constantine | Gregg | Martin | Shannon | Winters |
| Cosad | Gurnett | McCue | Sheide | Yale |
| Cross | Hackett | McDaniels | Shepardson | Yeomans |
| Cuvillier | Haines | McElligott | Shlivek | Young |
| Dawson | Hammond | McGrath | Shortt | Zorn |
| Day | Hart | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1754, Rec. No. 479), entitled "An act to provide for dredging Powell creek in the county of Nassau, for widening and deepening the channel thereof, and making an appropriation therefor."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hearn | McKeon | Smith A E |
| Allen | Donnelly | Herrick J J | Merritt | Smith T K |
| Baumes | Donovan | Herrick W R | Miller | Spielberg |
| Beach | Drummond | Heyman | Monczynski | Stivers |
| Blauvelt | Egan | Higgins | Mork | Sullivan |
| Boylan | Evans | Hinman | Murray | Sweet |
| Brace | Farrell | Hoey | Myers | Talmage |
| Brennan | Fay | Hoff | Neupert | Terry |
| Brereton | Filley | Hoyt | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Huber | Oliver | Trombly |
| Brooks | Foley | Jackson | O'Neill J J | Turley |
| Brown | Friedman | Jameson | O'Neil M A | Walker |
| Bryant | Geatons | Jones | Pappert | Ward |
| Bush | Gerhardt | Kennedy | Parker A | Waring |
| Butler | Gerken | Kopp | Parker J S | Warren |
| Carew | Gillen | Lansing | Patrie | Washburn |
| Caughlan | Goldberg | LaReau | Phillips C W | Waters F A |
| Chanler | Goldstein | Levy A J | Phillips J S | Waters R B |
| Cheney | Goodman | Levy J | Pierce | Weil |
| Coffey | Goodwin | Macdonald | Saunders | Wende |
| Collin | Gould | MacGregor | Schifferdecker | Wheeler |
| Colné | Graubard | Manley | Seeley | Wilson |
| Constantine | Gregg | Martin | Shannon | Winters |
| Cosad | Gurnett | McCue | Sheide | Yale |
| Cross | Hackett | McDaniels | Shepardson | Yeomans |
| Cuvillier | Haines | McElligott | Shlivek | Young |
| Dawson | Hammond | McGrath | Shortt | Zorn |
| Day | Hart | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2232, Rec. No. 643), entitled "An act authorizing the board of estimate and apportionment of the city of New York to audit and allow and also authorizing the comptroller of the city of New York to pay to John R. Voorhis compensation for services actually rendered to the city of New York, in the office of the president of the borough of Manhattan in the years nineteen hundred and eight, nineteen hundred and nine and nineteen hundred and ten."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adder | DeLano | Hart | McGrath | Smith A E |
| Allen | Donnelly | Hearn | McKeon | Smith T K |
| Baumes | Donovan | Herrick J J | Merritt | Spielberg |
| Beach | Drummond | Herrick W R | Miller | Stivers |
| Blauvelt | Egan | Heyman | Monezynski | Sullivan |
| Boylan | Evans | Higgins | Mork | Sweet |
| Brace | Farrell | Hinman | Myers | Talmage |
| Brennan | Fay | Hoey | Neupert | Terry |
| Brereton | Fillee | Hoff | Nolan | Thorn |
| Bridenbecker | Fitzpatrick | Hoyt | Oliver | Trombly |
| Brooks | Foley | Huber | O'Neill J J | Turley |
| Brown | Friedman | Jackson | O'Neil M A | Walker |
| Bryant | Geatons | Jameson | Pappert | Ward |
| Bush | Gerhardt | Jones | Parker A | Waring |
| Butler | Gerken | Kennedy | Parker J S | Warren |
| Carew | Gillen | Kopp | Patrie | Washburn |
| Caughlan | Goldberg | Lansing | Phillips C W | Waters F A |
| Chanler | Goldstein | LaReau | Phillips J S | Waters R B |
| Cheney | Goodman | Levy A J | Pierce | Weil |
| Coffey | Goodwin | Levy J | Saunders | Wende |
| Collin | Gould | Macdonald | Schifferdecker | Wheeler |
| Colné | Graubard | MacGregor | Seeley | Wilson |
| Constantine | Gregg | Manley | Shannon | Winters |
| Cosad | Gurnett | Martin | Sheide | Yale |
| Cross | Hackett | McCue | Shepardson | Yeomans |
| Cuvillier | Haines | McDaniels | Shlivek | Young |
| Dawson | Hammond | McElligott | Shortt | Zorn |
| Day | | | | |

In the negative:

Murray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2153, Rec. No. 644), entitled "An act to provide a pro-

cedure for the prompt review of an apportionment by the Legislature or other body."

On motion of Mr. Foley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 78

NOES 19

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-----------|
| Boylan | Egan | Hearn | McElligott | Seeley |
| Brace | Farrell | Herrick J J | McGrath | Sheide |
| Brennan | Fay | Herrick W R | McKeon | Shortt |
| Bridenbecker | Fitzpatrick | Hoey | Miller | Smith A E |
| Bush | Foley | Hoyt | Monczynski | Spielberg |
| Carew | Friedman | Huber | Mork | Terry |
| Caughlan | Geatons | Jackson | Myers | Trombly |
| Chanler | Gerhardt | Jameson | Neupert | Turley |
| Collin | Gerken | Kennedy | Oliver | Walker |
| Cosad | Gillen | LaReau | O'Neill J J | Warren |
| Cuvillier | Goldberg | Levy A J | O'Neil M A | Washburn |
| Dawson | Gould | Levy J | Parker A | Weil |
| Day | Graubard | Manley | Patrie | Wende |
| Donnelly | Gregg | Martin | Saunders | Wheeler |
| Donovan | Gruett | McCue | Schifferdecker | Speaker |
| Drummond | Hackett | McDaniels | | |

Those who voted in the negative were:

| | | | | |
|-------------|-----------|------------|--------------|------------|
| Adler | Goodman | Merritt | Phillips J S | Thorn |
| Baumes | Hammond | Murray | Shepardson | Ward |
| Cheney | Jones | Nolan | Smith T K | Waters F A |
| Constantine | MacGregor | Parker J S | Sullivan | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the Assembly bill (No. 2329, Senate Reprint No. 2276, Int. No: 1318), entitled "An act making appropriations for the support of government," with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause and insert Senate bill No. 2276.

Mr. A. E. Smith moved to concur in the Senate amendments.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it; therefore, in accordance with the provision of section 15 of article 3 of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill (No. 2329, Senate Reprint No. 2243), as amended, entitled "An act making appropriations for the support of government."

Given under my hand and the Privy Seal of the State at the Capitol in the city of Albany this twenty-first day
[L. S.] of July in the year of our Lord, one thousand nine hundred and eleven.

JOHN A. DIX.

By the Governor:

JOHN A. MASON,
Secretary to the Governor.

Mr. Speaker put the question whether the House would concur in said amendments, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|-----------|
| Adler | DeLano | Hart | McGrath | Shortt |
| Allen | Donnelly | Hearn | McKeon | Smith A E |
| Baumes | Donovan | Herrick J J | Merritt | Smith T K |
| Beach | Drummond | Herrick W R | Miller | Spielberg |
| Blauvelt | Egan | Heyman | Monczynski | Stivers |
| Boylan | Evans | Higgins | Mork | Sweet |
| Brace | Farrell | Winman | Murray | Talmage |
| Brennan | Fay | Hoey | Myers | Terry |
| Biereton | Filley | Hoff | Neupert | Thorn |
| Bridenbecker | Fitzpatrick | Hoyt | Nolan | Trombly |
| Brooks | Foley | Huber | Oliver | Turley |
| Brown | Friedman | Jackson | O'Neill J J | Walker |
| Bryant | Geatons | Jameson | O'Neil M A | Ward |
| Bush | Gerhardt | Jones | Pappert | Waring |
| Butler | Gerken | Kennedy | Parker A | Warren |

| | | | | |
|-------------|-----------|------------|----------------|------------|
| Carew | Gillen | Kopp | Parker J S | Washburn |
| Caughlan | Goldberg | Lansing | Patrie | Waters F A |
| Chanler | Goldstein | LaReau | Phillips C W | Waters R B |
| Cheney | Goodman | Levy A J | Phillips J S | Weil |
| Coffey | Goodwin | Levy J | Pierce | Wende |
| Collin | Gould | Macdonald | Saunders | Wheeler |
| Colné | Graubard | MacGregor | Schifferdecker | Wilson |
| Constantine | Gregg | Manley | Seeley | Winters |
| Cosad | Gurnett | Martin | Shannon | Yale |
| Cross | Hackett | McCue | Sheide | Yeomans |
| Cuvillier | Haines | McDaniels | Shepardson | Young |
| Dawson | Hammond | McElligott | Shlivek | Zorn |
| Day | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate return the Assembly bill (No. 2597, Senate Reprint No. 2277, Int. No. 1927), entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause and insert Senate bill No. 2277.

Mr. A. E. Smith moved to concur in the Senate amendments.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it; therefore, in accordance with the provision of section 15 of article 3 of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill (Int. No. 1927, Printed No. 2597), as amended, entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations."

Given under my hand and the Privy Seal of the State at the Capitol in the city of Albany this twenty-first day
[L. S.] of July in the year of our Lord, one thousand nine hundred and eleven.

JOHN A. DIX.

By the Governor:

JOHN A. MASON,

Secretary to the Governor.

Mr. Speaker put the question whether the House would concur in said amendments, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shortt |
| Allen | Donnelly | Hearn | McKeon | Smith A E |
| Baumes | Donovan | Herrick J J | Merritt | Smith T K |
| Beach | Drummond | Herrick W R | Miller | Spielberg |
| Blauvelt | Egan | Heyman | Monczynski | Stivers |
| Boylan | Evans | Higgins | Mork | Sweet |
| Brace | Farrell | Hinman | Murray | Talmage |
| Brennan | Fay | Hoey | Myers | Terry |
| Brereton | Filley | Hoff | Neupert | Thorn |
| Bridenbecker | Fitzpatrick | Hoyt | Nolan | Trombly |
| Brooks | Foley | Huber | Oliver | Turley |
| Brown | Friedman | Jackson | O'Neill J J | Walker |
| Bryant | Geatons | Jameson | O'Neil M A | Ward |
| Bush | Gerhardt | Jones | Pappert | Waring |
| Butler | Gerken | Kennedy | Parker A | Warren |
| Carew | Gillen | Kopp | Parker J S | Washburn |
| Caughlan | Goldberg | Lansing | Patrie | Waters F A |
| Chanler | Goldstein | LaReau | Phillips C W | Waters R B |
| Cheney | Goodman | Levy A J | Phillips J S | Weil |
| Coffey | Goodwin | Levy J | Pierce | Wende |
| Collin | Gould | Macdonald | Saunders | Wheeler |
| Colné | Graubard | MacGregor | Schifferdecker | Wilson |
| Constantine | Gregg | Manley | Seeley | Winters |
| Cosad | Gurnett | Martin | Shannon | Yale |
| Cross | Hackett | McCue | Sheide | Yeomans |
| Cuvillier | Haines | McDaniels | Shepardson | Your g |
| Dawson | Hammond | McElligott | Shlivek | Zorn |
| Day | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

Mr. A. E. Smith moved to take from the table his motion to reconsider the vote by which Senate bill (No. 2041, Rec. No. 487), entitled "An act to amend the Code of Civil Procedure, in relation to restoring the Board of Claims, with the powers and jurisdiction of the Court of Claims, and providing for the appointment of the members of such board," was lost July 20th.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree

to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shortt |
| Allen | Donnelly | Hearn | McKeon | Smith A E |
| Baumes | Donovan | Herrick J J | Merritt | Smith T K |
| Beach | Drummond | Herrick W R | Miller | Spielberg |
| Blauvelt | Egan | Heyman | Monczynski | Stivers |
| Boylan | Evans | Higgins | Mork | Sweet |
| Brace | Farrell | Hinman | Murray | Talmage |
| Brennan | Fay | Hoey | Myers | Terry |
| Brereton | Fillely | Hoff | Neupert | Thorn |
| Bridenbecker | Fitzpatrick | Hoyt | Nolan | Trombly |
| Brooks | Foley | Huber | Oliver | Turley |
| Brown | Friedman | Jackson | O'Neill J J | Walker |
| Bryant | Geatons | Jameson | O'Neil M A | Ward |
| Bush | Gerhardt | Jones | Pappert | Waring |
| Butler | Gerken | Kennedy | Parker A | Warren |
| Carew | Gillen | Kopp | Parker J S | Washburn |
| Caughlan | Goldberg | Lansing | Patrie | Waters F A |
| Chanler | Goldstein | LaReau | Phillips C W | Waters R B |
| Cheney | Goodman | Levy A J | Phillips J S | Weil |
| Coffey | Goodwin | Levy J | Pierce | Wende |
| Collin | Gould | Macdonald | Saunders | Wheeler |
| Colné | Graubard | MacGregor | Schifferdecker | Wilson |
| Constantine | Gregg | Manley | Seeley | Winters |
| Cosad | Gurnett | Martin | Shannon | Yale |
| Cross | Hackett | McCue | Sheide | Yeomans |
| Cuvillier | Haines | McDaniels | Shepardson | Young |
| Dawson | Hammond | McElligott | Shlivek | Zorn |
| Day | | | | |

Debate was had thereon.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 77

NOES 49

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|------------|----------------|
| Blauvelt | Drummond | Gurnett | Martin | Patrie |
| Boylan | Egan | Hackett | McCue | Saunders |
| Brace | Evans | Hearn | McDaniels | Schifferdecker |
| Brennan | Farrell | Herrick J J | McElligott | Seeley |
| Bridenbecker | Fay | Herrick W R | McGrath | Sheide |
| Bush | Fitzpatrick | Hoey | McKeon | Smith A E |
| Carew | Foley | Hoyt | Miller | Spielberg |

| | | | | |
|-----------|-----------|----------|-------------|----------|
| Caughlan | Geatons | Huber | Monczynski | Trombly |
| Chanler | Gerhardt | Jackson | Mork | Turley |
| Collin | Gerken | Jameson | Myers | Walker |
| Cosad | Gillen | Kennedy | Neupert | Warren |
| Cuvillier | Goldberg | LaReau | Oliver | Washburn |
| Dawson | Goldstein | Levy A J | O'Neill J J | Weil |
| Day | Gould | Levy J | O'Neil M A | Wheeler |
| Donnelly | Graubard | Manley | Parker A | Zorn |
| Donovan | Gregg | | | |

Those who voted in the negative were:

| | | | | |
|--------|-------------|-----------|--------------|------------|
| Adler | Constantine | Hinman | Phillips C W | Thorn |
| Allen | Cross | Hoff | Phillips J S | Ward |
| Baumes | Filley | Jones | Shannon | Waring |
| Beach | Friedman | Lansing | Shea | Waters F A |
| Brooks | Goodman | Macdonald | Shepardson | Waters R B |
| Bryant | Goodwin | MacGregor | Shortt | Wilson |
| Butler | Haines | Merritt | Smith T K | Winters |
| Cheney | Hammond | Murray | Stivers | Yale |
| Coffey | Hart | Nolan | Sullivan | Yeomans |
| Colné | Higgins | Pappert | Sweet | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Donnelly moved to take from the table his motion to reconsider the vote by which Senate bill (No. 2189, Rec. No. 607), entitled "An act to amend the Judiciary Law, in relation to the chief clerk and assistants for the County Court of Kings county," was lost July 20th.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|------------|-----------|
| Adler | Day | Hammond | McElligott | Shortt |
| Allen | DeLano | Hart | McGrath | Smith A E |
| Baumes | Donnelly | Hearn | McKeon | Smith T K |
| Beach | Donovan | Herrick J J | Merritt | Spielberg |
| Blauvelt | Drummond | Herrick W R | Miller | Stivers |
| Boylan | Egan | Heyman | Monczynski | Sweet |
| Brace | Evans | Higgins | Mork | Talmage |
| Brennan | Farrell | Hinman | Murray | Terry |
| Brereton | Fay | Hoey | Myers | Thorn |

| | | | | |
|--------------|-------------|-----------|----------------|------------|
| Bridenbecker | Filley | Hoff | Neupert | Trombly |
| Brooks | Fitzpatrick | Hoyt | Nolan | Turley |
| Brown | Foley | Huber | Oliver | Walker |
| Bryant | Friedman | Jackson | O'Neill J J | Ward |
| Bush | Geatons | Jameson | O'Neil M A | Waring |
| Butler | Gerhardt | Jones | Pappert | Warren |
| Carew | Gerken | Kennedy | Parker A | Washburn |
| Caughlan | Gillen | Kopp | Parker J S | Waters F A |
| Chanler | Goldberg | Lansing | Patrie | Waters R B |
| Cheney | Goldstein | LaReau | Phillips C W | Weil |
| Coffey | Goodman | Levy A J | Phillips J S | Wende |
| Collin | Goodwin | Levy J | Saunders | Wheeler |
| Colné | Gould | Macdonald | Schifferdecker | Wilson |
| Constantine | Graubard | MacGregor | Seeley | Winters |
| Cosad | Gregg | Manley | Shannon | Yale |
| Cross | Gurnett | Martin | Sheide | Yeomans |
| Cuvillier | Hackett | McCue | Shepardson | Young |
| Dawson | Haines | McDaniels | Shlivek | Zorn |

Debate was had thereon.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 79

NOES 38

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Blauvelt | Drummond | Gregg | Martin | Saunders |
| Boylan | Egan | Gurnett | McCue | Schifferdecker |
| Brace | Evans | Hackett | McDaniels | Seeley |
| Brennan | Farrell | Hearn | McElligott | Sheide |
| Bridenbecker | Fay | Herrick J J | McGrath | Shortt |
| Bush | Fitzpatrick | Herrick W R | McKeon | Smith A E |
| Carew | Foley | Hoey | Miller | Trombly |
| Caughlan | Friedman | Hoyt | Monczynski | Turley |
| Chanler | Geatons | Huber | Mork | Walker |
| Collin | Gerhardt | Jackson | Myers | Warren |
| Cosad | Gerken | Jameson | Neupert | Washburn |
| Cuvillier | Gillen | Kennedy | Oliver | Weil |
| Dawson | Goldberg | LaReau | O'Neill J J | Wende |
| Day | Goldstein | Levy A J | O'Neil M A | Wheeler |
| Donnelly | Gould | Levy J | Parker A | Zorn |
| Donovan | Graubard | Manley | Patrie | |

Those who voted in the negative were:

| | | | | |
|--------|-------------|-----------|--------------|------------|
| Adler | Colné | Hart | Murray | Sullivan |
| Allen | Constantine | Higgins | Pappert | Thorn |
| Baumes | Ebbetts | Hinman | Phillips C W | Ward |
| Brooks | Filley | Hoff | Phillips J S | Waters F A |
| Bryant | Goodman | Jones | Shannon | Waters R B |
| Butler | Goodwin | Lansing | Smith T K | Winters |
| Cheney | Haines | MacGregor | Stivers | Yeomans |
| Coffey | Hammond | Merritt | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Walker moved to take from the table his motion to reconsider the vote by which Senate bill (No. 2044, Rec. No. 578), entitled "An act to amend section ten of the Stock Corporation Law to enable provision for claims accrued in connection with the operation, maintenance or construction of any or all the property owned by or leased to a corporation prior to its reorganization," was lost July 20th.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hammond | McGrath | Shortt |
| Allen | Donnelly | Hearn | McKeon | Smith A E |
| Baumes | Donovan | Herrick J J | Merritt | Smith T K |
| Beach | Drummond | Herrick W R | Miller | Spielberg |
| Blauvelt | Egan | Heyman | Monczynski | Stivers |
| Boylan | Evans | Higgins | Mork | Sweet |
| Brace | Farrell | Hinman | Murray | Talmage |
| Brennan | Fay | Hoey | Myers | Terry |
| Brereton | Filley | Hoff | Neupert | Thorn |
| Bridenbecker | Fitzpatrick | Hoyt | Nolan | Trombly |
| Brooks | Foley | Huber | Oliver | Turley |
| Brown | Friedman | Jackson | O'Neill J J | Walker |
| Bryant | Geatons | Jameson | O'Neil M A | Ward |
| Bush | Gerhardt | Jones | Pappert | Waring |
| Butler | Gerken | Kennedy | Parker A | Warren |
| Carew | Gillen | Kopp | Parker J S | Washburn |
| Caughlan | Goldberg | Lansing | Pierce | Waters F A |
| Chanler | Goldstein | LaReau | Phillips C W | Waters R B |
| Cheney | Goodman | Levy A J | Phillips J S | Weil |
| Coffey | Goodwin | Levy J | Patrie | Wende |
| Collin | Gould | Macdonald | Saunders | Wheeler |
| Colné | Graubard | MacGregor | Schifferdecker | Wilson |
| Constantine | Gregg | Manley | Seeley | Winters |
| Cosad | Gurnett | Martin | Shannon | Yale |
| Cross | Hackett | McCue | Sheide | Yeomans |
| Cuvillier | Haines | McDaniels | Shepardson | Young |
| Dawson | Hart | McElligott | Shlivek | Zorn |
| Day | | | | |

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 91

NOES 16

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Cuvillier | Hearn | McKeon | Sheide |
| Allen | Day | Herrick J J | Merritt | Shepardson |
| Baumes | Donnelly | Herrick W R | Miller | Shortt |
| Blauvelt | Drummond | Higgins | Monczynski | Smith T K |
| Brace | Ebbetts | Hoey | Myers | Stivers |
| Brennan | Evans | Hoyt | Neupert | Sullivan |
| Bridenbecker | Farrell | Huber | Oliver | Sweet |
| Bryant | Fay | Jameson | O'Neill J J | Terry |
| Bush | Filley | Jones | O'Neil M A | Thorn |
| Butler | Fitzpatrick | Kennedy | Pappert | Trombly |
| Carew | Foley | LaReau | Parker J S | Walker |
| Caughlan | Friedman | Macdonald | Patrie | Warren |
| Chanler | Geatons | MacGregor | Phillips C W | Washburn |
| Cheney | Goodwip | Manley | Phillips J S | Waters F A |
| Collin | Gould | Martin | Saunders | Wende |
| Colné | Gregg | McCue | Schifferdecker | Wheeler |
| Constantine | Hammond | McDaniels | Seeley | Wilson |
| Cosad | Hart | McElligott | Shannon | Winters |
| Cross | | | | |

Those who voted in the negative were:

| | | | | |
|---------|----------|----------|---------|----------|
| Beach | Gerhardt | Hackett | Levy J | Murray |
| Boylan | Goldberg | Hoff | McGrath | Parker A |
| Donovan | Goodman | Levy A J | Mork | Weil |
| Egan | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Ward moved to take from the table his motion to reconsider the vote by which Senate bill (No. 352, Rec. No. 329), entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article one of the Constitution, in relation to condemnation proceedings," was lost July 20th.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all

the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 138

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hearn | McGrath | Shortt |
| Allen | Donnelly | Herrick J J | McKeon | Smith A E |
| Baumes | Donovan | Herrick W R | Merritt | Smith T K |
| Beach | Drummond | Higgins | Miller | Spielberg |
| Blauvelt | Egan | Hinman | Monczynski | Stivers |
| Boylan | Evans | Hoey | Mork | Sweet |
| Brace | Farrell | Hoff | Murray | Talmage |
| Brennan | Fay | Hollmann | Myers | Terry |
| Brereton | Filley | Hoyt | Neupert | Thorn |
| Bridenbecker | Fitzpatrick | Huber | Nolan | Trombly |
| Brooks | Foley | Jackson | Oliver | Turley |
| Brown | Friedman | Jameson | O'Neil J J | Walker |
| Bryant | Geatons | Jones | O'Neil M A | Ward |
| Bush | Gerhardt | Kennedy | Pappert | Waring |
| Butler | Gerken | Keys | Parker A | Warren |
| Carew | Gillen | Kopp | Parker J S | Washburn |
| Caughlan | Goldberg | Lansing | Patrie | Waters F A |
| Chanler | Goldstein | LaReau | Phillips C W | Waters R B |
| Cheney | Goodman | Lent | Phillips J S | Weil |
| Coffey | Goodwin | Levy A J | Pierce | Wende |
| Collin | Gould | Levy J | Saunders | Wheeler |
| Colné | Graubard | Macdonald | Schifferdecker | Wilson |
| Constantine | Gregg | MacGregor | Seeley | Winters |
| Cosad | Gurnett | Manley | Shannon | Yale |
| Cross | Hackett | Martin | Sheide | Yeomans |
| Cuvillier | Haines | McCue | Shepardson | Young |
| Dawson | Hammond | McDaniels | Shlivek | Zorn |
| Day | Hart | McElligott | | |

Debate was had thereon.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 94

NOES 22

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|---------|------------|-----------|
| Adler | Donovan | Hinman | Mork | Smith A E |
| Allen | Drummond | Hoff | Murray | Smith T K |
| Baumes | Ebbetts | Hoyt | Myers | Spielberg |
| Beach | Evans | Huber | Neupert | Stivers |
| Blauvelt | Filley | Jameson | Nolan | Sullivan |
| Brace | Foley | Jones | O'Neil M A | Sweet |
| Brennan | Friedman | Kennedy | Pappert | Terry |
| Bridenbecker | Geatons | Lansing | Parker A | Thorn |
| Brooks | Gerhardt | LaReau | Parker J S | Trombly |

| | | | | |
|-------------|-------------|-----------|----------------|------------|
| Bryant | Goldberg | Levy A J | Phillips C W | Ward |
| Bush | Goodman | Levy J | Phillips J S | Waring |
| Butler | Graubard | Macdonald | Saunders | Warren |
| Chanler | Gregg | MacGregor | Schifferdecker | Washburn |
| Collin | Gurnett | Manley | Seeley | Waters F A |
| Colné | Haines | Martin | Shannon | Wende |
| Constantine | Hammond | McDaniels | Shea | Wilson |
| Cosad | Hart | McKeon | Sheide | Winters |
| Cross | Herrick W R | Merritt | Shepardson | Yeomans |
| Day | Higgins | Miller | Shortt | |

Those who voted in the negative were:

| | | | | |
|-----------|---------|-------------|------------|-------------|
| Boylan | Egan | Herrick J J | McElligott | O'Neill J J |
| Carew | Fay | Hoey | McGrath | Patrie |
| Caughlan | Goodwin | Jackson | Monczynski | Walker |
| Coffey | Hackett | McCue | Oliver | Weil |
| Cuvillier | Hearn | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent, Mr. Foley called up Assembly bill (No. 2595, Int. No. 1857), entitled "An act to amend the Tenement House Law, generally."

Said bill having been announced,

Mr. Foley moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|-----------|
| Adler | DeLano | Hart | McGrath | Shortt |
| Allen | Donnelly | Hearn | McKeon | Smith A E |
| Baumes | Donovan | Herrick J J | Merritt | Smith T K |
| Beach | Drummond | Herrick W R | Miller | Spielberg |
| Blauvelt | Egan | Heyman | Monczynski | Stivers |
| Boylan | Evans | Higgins | Mork | Sweet |
| Brace | Farrell | Hinman | Murray | Talmage |
| Brennan | Fav | Hoey | Myers | Terry |
| Brereton | Filley | Hoff | Neupert | Thorn |
| Bridenbecker | Fitzpatrick | Hoyt | Nolan | Trombly |
| Brooks | Foley | Huber | Oliver | Turley |
| Brown | Friedman | Jackson | O'Neill J J | Walker |
| Bryant | Geatons | Jameson | O'Neil M A | Ward |
| Bush | Gerhardt | Jones | Pappert | Waring |

| | | | | |
|-------------|-----------|------------|----------------|------------|
| Butler | Gerken | Kennedy | Parker A | Warren |
| Carew | Gillen | Kopp | Parker J S | Washburn |
| Caughlan | Goldberg | Lansing | Patrie | Waters F A |
| Chanler | Goldstein | LaReau | Phillips C W | Waters R B |
| Cheney | Goodman | Levy A J | Phillips J S | Weil |
| Coffey | Goodwin | Levy J | Pierce | Wende |
| Collin | Gould | Macdonald | Saunders | Wheeler |
| Colné | Graubard | MacGregor | Schifferdecker | Wilson |
| Constantine | Gregg | Manley | Seeley | Winters |
| Cosad | Gurnett | Martin | Shannon | Yale |
| Cross | Hackett | McCue | Sheide | Yeoman |
| Cuvillier | Haines | McDaniels | Shepardson | Young |
| Dawson | Hammond | McElligott | Shlivek | Zorn |
| Day | | | | |

Mr. Foley moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith, amended as follows:

Page 2, line 1, after the word "premises" strike out the comma and insert a period.

Line 2, after the word "but" strike out the "bracket" and also the word "and".

Line 3, strike out the word "cellar," also strike out the two brackets.

Line 4, strike out the brackets, also the word "any", after the word "them" insert a bracket.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Foley, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *July 20, 1911.*

Whereas, It has been charged and there is reason to believe that grave abuses exist in the various departments of the county of Albany and of the city of Albany, respectively; that said departments have been and are corrupt; that in said county of Albany and in said city of Albany the laws and the municipal ordinances for the suppression of crime and for the securing of peace, security, order and morality are not strictly enforced by the departments to which the enforcement thereof is entrusted; that said laws and ordinances when enforced are enforced with partiality and favoritism; that money and political support are given or promised to public officials in said county and said city by the keepers or proprietors of gaming houses, disorderly houses, liquor saloons and

other offenders against the law in exchange for immunity from punishment and other promises of favor; that said departments and offices of the county of Albany and the city of Albany have been and are conducted with the object of personal gain to officials in said departments and offices; that there have been misappropriations and dishonesty in said departments and offices; that said departments and offices have, for corrupt purposes, exercised unfair methods and discriminations against the citizens of said county of Albany and said city of Albany; that said departments and offices have been and are conducted with extravagance and waste for the purpose of creating superfluous positions for political adherents; and that in all of said departments of the county of Albany and city of Albany there are practices working contrary to public economy and efficiency; and

Whereas, A strong public sentiment demands of this Senate an investigation of all the matters above and into all departments and offices of the county of Albany and the city of Albany for the purpose of remedying and preventing, by proper legislation, such abuses and corrupt practices; now, therefore, be it

Resolved (if the Assembly concur), That the President of the Senate be and he hereby is authorized to appoint five Senators who shall be a special committee of this Senate with power to investigate all and singular and aforesaid matters and charges and all and singular the various offices and departments connected with the county of Albany and the city of Albany respectively; and that said committee have full power to prosecute its inquiries in any and every direction in its judgment necessary and proper to enable it to obtain and report the information required by this resolution; that said committee report to the Senate upon its investigation with such recommendations as in its judgment the public interests require; that said committee be authorized to sit and hold its session in a place to be selected by it in the Capitol in the city of Albany; that the committee be authorized and empowered to subpoena and compel attendance of witnesses, including public officers and employees, and the production of books and papers, including public records and documents; to administer oaths, take proof and testimony, employ counsel and examiners, stenographers and other necessary assistants as in their judgment are required; and have all the powers usual and incident to legislative committees, including the adoption of rules for the conduct of its proceedings; and be it further

Resolved, That the said committee shall conclude its investigation in time to report to the Senate on or before the first Tuesday in January, 1912, so that proper legislation may be enacted to suppress said evils;

Resolved, That it is the intention of this Senate that it is contrary to public policy and to the interest of good order and efficient investigation that any person giving evidence before said committee tending to show that he has been a party to the practices above mentioned, should be indicted or prosecuted upon the evidence so given or upon the admissions so made by him; and be it further

Resolved, That the actual and necessary expenses of the committee in carrying out the provisions of this resolution, not exceeding the sum of \$25,000, be paid from the moneys appropriated for the contingent expenses of the Legislature by the Treasurer on the warrant of the Comptroller and the certificate of the chairman of the committee.

By order of the Senate,

PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 77

NOES 8

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-----------|
| Beach | Evans | Hackett | McElligott | Seeley |
| Blauvelt | Farrell | Herrick J J | McGrath | Sheide |
| Boylan | Fay | Herrick W R | McKeon | Shortt |
| Brennan | Fitzpatrick | Hoey | Miller | Smith A E |
| Bridenbecker | Foley | Hoyt | Moneczynski | Spielberg |
| Bush | Friedman | Huber | Mork | Trombly |
| Carew | Geatons | Jackson | Myers | Turley |
| Caughlan | Gerhardt | Jameson | Neupert | Walker |
| Chanler | Gerken | Kennedy | Oliver | Warren |
| Collin | Gillen | Levy A J | O'Neill J J | Washburn |
| Cuvillier | Goldberg | Levy J | O'Neil M A | Weil |
| Dawson | Goldstein | Manley | Parker A | Wende |
| Day | Gould | Martin | Patrie | Wheeler |
| Donnelly | Graubard | McCue | Saunders | Zorn |
| Donovan | Gregg | McDaniels | Schifferdecker | Speaker |
| Egan | Gurnett | | | |

Those who voted in the negative were:

| | | | | |
|--------|----------|---------|--------|-------|
| Brace | Cross | Goodwin | LaReau | Thorn |
| Bryant | Drummond | Hart | | |

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *July 20, 1911.*

Resolved (if the Assembly concur), That there be printed for the use of the Legislature 5,000 extra copies of the Fourth Report of the Commission on Employer's Liability.

By order of the Senate,
PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hammond | McElligott | Shortt |
| Allen | DeLano | Hart | McGrath | Smith A E |
| Baumes | Donnelly | Hearn | McKeon | Smith T K |
| Beach | Donovan | Herrick J J | Merritt | Spielberg |
| Blauvelt | Drummond | Herrick W R | Miller | Stivers |
| Boylan | Egan | Heyman | Monczynski | Sweet |
| Brace | Evans | Higgins | Mork | Talmage |
| Brennan | Farrell | Hinman | Murray | Terry |
| Brereton | Fay | Hoey | Myers | Thorn |
| Bridenbecker | Filley | Hoff | Neupert | Trombly |
| Brooks | Fitzpatrick | Hoyt | Nolan | Turley |
| Brown | Foley | Huber | Oliver | Walker |
| Bryant | Friedman | Jackson | O'Neill J J | Ward |
| Bush | Geatons | Jameson | O'Neil M A | Waring |
| Butler | Gerhardt | Jones | Pappert | Warren |
| Carew | Gerken | Kennedy | Parker A | Waters F A |
| Caughlan | Gillen | Kopp | Parker J S | Waters R B |
| Chanler | Goldberg | Lansing | Phillips C W | Weil |
| Cheney | Goldstein | LaReau | Phillips J S | Wende |
| Coffey | Goodman | Levy A J | Saunders | Wheeler |
| Collin | Goodwin | Levy J | Schifferdecker | Wilson |
| Colné | Gould | Macdonald | Seeley | Winters |
| Constantine | Graubard | MacGregor | Shannon | Yale |
| Cosad | Gregg | Manley | Sheide | Yeomans |
| Cross | Gurnett | Martin | Shepardson | Young |
| Cuvillier | Hackett | McCue | Shlivek | Zorn |
| Dawson | Haines | McDaniels | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

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Resolved (if the Senate concur), That when the Legislature adjourn this day it be to meet again on Wednesday, September the sixth, at eight thirty o'clock P. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Coffey offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 298, Int. No. 297), entitled "An act to incorporate 'The Pelham Firemen's Association' of the Town of Pelham, New York," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. A. J. Levy offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed for the use of the Assembly 3,000 additional copies of Assembly bill (No. 2542, Int. No. 1481, Senate Reprint No. 2147), entitled "An act to amend the Election Law, generally."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|-----------|
| Adler | DeLano | Hart | McGrath | Shortt |
| Allen | Donnelly | Hearn | McKeon | Smith A E |
| Baumes | Donovan | Herrick J J | Merritt | Smith T K |
| Beach | Drummond | Herrick W R | Miller | Spielberg |
| Blauvelt | Egan | Heyman | Monezynski | Stivers |
| Boylan | Evans | Higgins | Mork | Sweet |
| Brace | Farrell | Hinman | Murray | Talmage |
| Brennan | Fay | Hoey | Myers | Terry |
| Brereton | Filley | Hoff | Neupert | Thorn |
| Bridenbecker | Fitzpatrick | Hoyt | Nolan | Trombly |
| Brooks | Foley | Huber | Oliver | Turley |
| Brown | Friedman | Jackson | O'Neill J J | Walker |

| | | | | |
|-------------|-----------|------------|----------------|------------|
| Bryant | Geatons | Jameson | O'Neil M A | Ward |
| Bush | Gerhardt | Jones | Pappert | Waring |
| Butler | Gerken | Kennedy | Parker A | Warren |
| Carew | Gillen | Kopp | Parker J S | Washburn |
| Caughlan | Goldberg | Lansing | Patrie | Waters F A |
| Chanler | Goldstein | LaReau | Phillips C W | Waters R B |
| Cheney | Goodman | Levy A J | Phillips J S | Weil |
| Coffey | Goodwin | Levy J | Pierce | Wende |
| Collin | Gould | Macdonald | Saunders | Wheeler |
| Colné | Graubard | MacGregor | Schifferdecker | Wilson |
| Constantine | Gregg | Manley | Seeley | Winters |
| Cosad | Gurnett | Martin | Shannon | Yale |
| Cross | Hackett | McCue | Sheide | Yeomans |
| Cuvillier | Haines | McDaniels | Shepardson | Young |
| Dawson | Hammond | McElligott | Shlivek | Zorn |
| Day | | | | |

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That the term of office of each officer and employee of the Assembly, except the Speaker, Clerk, Stenographer and Sergeant-at-Arms, terminate on the 21st day of July, 1911, and that the Clerk be authorized to appoint during the recess and the adjourned session such employees as may be required for the conduct of the business of the House, for such periods of time and at such compensation as he may determine, to be paid out of the moneys appropriated for the payment of the salaries and compensation of officers and employees of the Legislators upon the certificate of the Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|-----------|
| Adler | DeLano | Hart | McGrath | Shortt |
| Allen | Donnelly | Hearn | McKeon | Smith A E |
| Baumes | Donovan | Herrick J J | Merritt | Smith T K |
| Beach | Drummond | Herrick W R | Miller | Spielberg |
| Blauvelt | Egan | Heyman | Monczynski | Stivers |
| Boylan | Evans | Higgins | Mork | Sweet |
| Brace | Farrell | Hinman | Murray | Talmage |
| Brennan | Fay | Hoey | Myers | Terry |
| Brereton | Filley | Hoff | Neupert | Thorn |
| Bridenbecker | Fitzpatrick | Hoyt | Nolan | Trombly |
| Brooks | Foley | Huber | Oliver | Turley |
| Brown | Friedman | Jackson | O'Neill J J | Walker |
| Bryant | Geatons | Jameson | O'Neil M A | Ward |
| Bush | Gerhardt | Jon's | Pappert | Waring |

| | | | | |
|-------------|-----------|------------|----------------|------------|
| Butler | Gerken | Kennedy | Parker A | Warren |
| Carew | Gillen | Kopp | Parker J S | Washburn |
| Caughlan | Goldberg | Lansing | Patrie | Waters F A |
| Chanler | Goldstein | LaReau | Phillips C W | Waters R B |
| Cheney | Goodman | Levy A J | Phillips J S | Weil |
| Coffey | Goodwin | Levy J | Pierce | Wende |
| Collin | Gould | Macdonald | Saunders | Wheeler |
| Colné | Graubard | MacGregor | Schifferdecker | Wilson |
| Constantine | Gregg | Manley | Seeley | Winters |
| Cosad | Gurnett | Martin | Shannon | Yale |
| Cross | Hackett | McCue | Sheide | Yeomans |
| Cuvillier | Haines | McDaniels | Shepardson | Young |
| Dawson | Hammond | McElligott | Shlivek | Zorn |
| Day | | | | |

Mr. A. J. Levy offered for the consideration of the House a resolution, in the words following:

Resolved, That the assistant clerk of the Assembly be directed to remain for such period of time and at such compensation as the Clerk may determine for the performance of such duties as the Clerk may direct, such compensation to be paid out of the moneys appropriated for the payment of the salaries and compensation of the officers and employees of the Legislature upon the certificate of the Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | DeLano | Hart | McGrath | Shortt |
| Allen | Donnelly | Hearn | McKeon | Smith A E |
| Baumes | Donovan | Herrick J J | Merritt | Smith T K |
| Beach | Drummond | Herrick W R | Miller | Spielberg |
| Blauvelt | Egan | Heyman | Monczynski | Stivers |
| Boylan | Evans | Higgins | Mork | Sweet |
| Brace | Farrell | Hinman | Murray | Talmage |
| Brennan | Fay | Hoey | Myers | Terry |
| Brereton | Filley | Hoff | Neupert | Thorn |
| Bridenbecker | Fitzpatrick | Hoyt | Nolan | Trombly |
| Brooks | Foley | Huber | Oliver | Turley |
| Brown | Friedman | Jackson | O'Neill J J | Walker |
| Bryant | Geatons | Jameson | O'Neil M A | Ward |
| Bush | Gerhardt | Jones | Pappert | Waring |
| Butler | Gerken | Kennedy | Parker A | Warren |
| Carew | Gillen | Kopp | Parker J S | Washburn |
| Caughlan | Goldberg | Lansing | Patrie | Waters F A |
| Chanler | Goldstein | LaReau | Phillips C W | Waters R B |
| Cheney | Goodman | Levy A J | Phillips J S | Weil |
| Coffey | Goodwin | Levy J | Pierce | Wende |
| Collin | Gould | Macdonald | Saunders | Wheeler |

| | | | | |
|-------------|----------|------------|----------------|---------|
| Colné | Graubard | MacGregor | Schifferdecker | Wilson |
| Constantine | Gregg | Manley | Seeley | Winters |
| Cosad | Gurnett | Martin | Shannon | Yale |
| Cross | Hackett | McCue | Sheide | Yeomans |
| Cuvillier | Haines | McDaniels | Shepardson | Young |
| Dawson | Hammond | McElligott | Shlivek | Zorn |
| Day | | | | |

Mr. Oliver offered for the consideration of the House a resolution, in the words following:

Resolved, That the Speaker's clerk and Speaker's stenographer be directed to remain for such period of time and at such compensation as the Speaker may determine, to perform the duties of their respective offices, said compensation to be paid upon the certificate of the Speaker and the Clerk out of the moneys appropriated for the payment of the salaries and compensation of the officers and employees of the Legislature upon the certificate of the Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shortt |
| Allen | Donnelly | Hearn | McKeon | Smith A E |
| Baumes | Donovan | Herrick J J | Merritt | Smith T K |
| Beach | Drummond | Herrick W R | Miller | Spielberg |
| Blauvelt | Egan | Heyman | Monczynski | Stivers |
| Boylan | Evans | Higgins | Mork | Sweet |
| Brace | Farrell | Hinman | Murray | Talmage |
| Brennan | Fay | Hoey | Myers | Terry |
| Brereton | Filley | Hoff | Neupert | Thorn |
| Bridenbecker | Fitzpatrick | Hoyt | Nolan | Trombly |
| Brooks | Foley | Huber | Oliver | Turley |
| Brown | Friedman | Jackson | O'Neill J J | Walker |
| Bryant | Geatons | Jameson | O'Neil M A | Ward |
| Bush | Gerhardt | Jones | Pappert | Waring |
| Butler | Gerken | Kennedy | Parker A | Warren |
| Carew | Gillen | Kopp | Parker J S | Washburn |
| Caughlan | Goldberg | Lansing | Patrie | Waters F A |
| Chanler | Goldstein | LaReau | Phillips C W | Waters R B |
| Cheney | Goodman | Levy A J | Phillips J S | Weil |
| Coffey | Goodwin | Levy J | Pierce | Wende |
| Collin | Gould | Macdonald | Saunders | Wheeler |
| Colné | Graubard | MacGregor | Schifferdecker | Wilson |
| Constantine | Gregg | Manley | Seeley | Winters |
| Cosad | Gurnett | Martin | Shannon | Yale |
| Cross | Hackett | McCue | Sheide | Yeomans |
| Cuvillier | Haines | McDaniels | Shepardson | Young |
| Dawson | Hammond | McElligott | Shlivek | Zorn |
| Day | | | | |

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That the journal clerk of the Assembly be directed to remain for such period of time and at such compensation as the Clerk may determine, for the purpose of making comparison of the printed volume or volumes of the Assembly journal from the original manuscript copy thereof and noting the errors therein and for such other work as the Clerk may direct, such compensation to be paid out of the moneys appropriated for the payment of the salaries and compensation of the officers and employees of the Legislature upon the certificate of the Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shortt |
| Allen | Donnelly | Hearn | McKeon | Smith A E |
| Baumes | Donovan | Herrick J J | Merritt | Smith T K |
| Beach | Drummond | Herrick W R | Miller | Spielberg |
| Blauvelt | Egan | Heyman | Monczynski | Stivers |
| Boylan | Evans | Higgins | Mork | Sweet |
| Brace | Farrell | Hinman | Murray | Talmage |
| Brennan | Fay | Hoey | Myers | Terry |
| Brereton | Filley | Hoff | Neupert | Thorn |
| Bridenbecker | Fitzpatrick | Hoyt | Nolan | Trombly |
| Brooks | Foley | Huber | Oliver | Turley |
| Brown | Friedman | Jackson | O'Neill J J | Walker |
| Bryant | Geatons | Jameson | O'Neil M A | Ward |
| Bush | Gerhardt | Jones | Pappert | Waring |
| Butler | Gerken | Kennedy | Parker A | Warren |
| Carew | Gillen | Kopp | Parker J S | Washburn |
| Caughlan | Goldberg | Lansing | Patrie | Waters F A |
| Chanler | Goldstein | LaReau | Phillips C W | Waters R B |
| Cheney | Goodman | Levy A J | Phillips J S | Weil |
| Coffey | Goodwin | Levy J | Pierce | Wende |
| Collin | Gould | Macdonald | Saunders | Wheeler |
| Colné | Graubard | MacGregor | Schifferdecker | Wilson |
| Constantine | Gregg | Manley | Seeley | Winters |
| Cosad | Gurnett | Martin | Shannon | Yale |
| Cros | Hackett | McCue | Sheide | Yeomans |
| Cuvillier | Haines | McDaniels | Shepardson | Young |
| Dawson | Hammond | McElligott | Shlivek | Zorn |
| Day | | | | |

Mr. Bush offered for the consideration of the House a resolution, in the words following:

Resolved, That the librarian and assistant librarian of the Assembly be directed to remain for such period of time and at such compensation as the Clerk may determine, for the purpose of keeping open the Assembly library and performing such work as may be necessary in preserving, arranging, rearranging and indexing the books, documents, papers and records thereof in affording facilities for proper access thereto and such other work as the Clerk may direct, such compensation to be paid out of the moneys appropriated for the payment of the salaries and compensation of the officers and employees of the Legislature upon the certificate of the Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shortt |
| Allen | Donnelly | Hearn | McKeon | Smith A E |
| Baumes | Donovan | Herrick J J | Merritt | Smith T K |
| Beach | Drummond | Herrick W R | Miller | Spielberg |
| Blauvelt | Egan | Heyman | Monczynski | Stivers |
| Boylan | Evans | Higgins | Mork | Sweet |
| Brace | Farrell | Hinman | Murray | Talmage |
| Brennan | Fay | Hoey | Myers | Terry |
| Breton | Filley | Hoff | Neupert | Thorn |
| Bridenbecker | Fitzpatrick | Hoyt | Nolan | Trombly |
| Brooks | Foley | Huber | Oliver | Turley |
| Brown | Friedman | Jackson | O'Neill J J | Walker |
| Bryant | Geatons | Jameson | O'Neil M A | Ward |
| Bush | Gerhardt | Jones | Pappert | Waring |
| Butler | Gerken | Kennedy | Parker A | Warren |
| Carew | Gillen | Kopp | Parker J S | Washburn |
| Caughlan | Goldberg | Lansing | Patrie | Waters F A |
| Chanler | Goldstein | LaReau | Phillips C W | Waters R B |
| Cheney | Goodwin | Levy A J | Phillips J S | Weil |
| Coffey | Goodman | Levy J | Pierce | Wende |
| Collin | Gould | Macdonald | Saunders | Wheeler |
| Colné | Graubard | MacGregor | Schifferdecker | Wilson |
| Constantine | Gregg | Manley | Seeley | Winters |
| Cosad | Gurnett | Martin | Shannon | Yale |
| Cross | Hackett | McCue | Sheide | Yeomans |
| Cuvillier | Haines | McDaniels | Shepardson | Young |
| Dawson | Hammond | McElligott | Shlivek | Zorn |
| Day | | | | |

Mr. Foley offered for the consideration of the House a resolution, in the words following:

Resolved, That the second assistant journal clerk be directed to remain for such period of time and at such compensation as the

Clerk may determine, for the purpose of making typewritten and certified copies of the journal of the Assembly, and performing such other stenographic and clerical services as may be required by the Clerk and the journal clerk, such compensation to be paid out of the moneys appropriated for the payment of the salaries and compensation of the officers and employees of the Legislature upon the certificate of the Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shortt |
| Allen | Donnelly | Hearn | McKeon | Smith A E |
| Baumes | Donovan | Herrick J J | Merritt | Smith T K |
| Beach | Drummond | Herrick W R | Miller | Spielberg |
| Blauvelt | Egan | Heyman | Monczynski | Stivers |
| Boylan | Evans | Higgins | Mork | Sweet |
| Brace | Farrell | Hinman | Murray | Talmage |
| Brennan | Fay | Hoey | Myers | Terry |
| Brereton | Filley | Hoff | Neupert | Thorn |
| Bridenbecker | Fitzpatrick | Hoyt | Nolan | Trombly |
| Brooks | Foley | Huber | Oliver | Turley |
| Brown | Friedman | Jackson | O'Neill J J | Walker |
| Bryant | Geatons | Jameson | O'Neil M A | Ward |
| Bush | Gerhardt | Jones | Pappert | Waring |
| Butler | Gerken | Kennedy | Parker A | Warren |
| Carew | Gillen | Kopp | Parker J S | Washburn |
| Caughlan | Goldberg | Lansing | Patrie | Waters F A |
| Chanler | Goldstein | LaReau | Phillips C W | Waters R B |
| Cheney | Goodman | Levy A J | Phillips J S | Weil |
| Coffey | Goodwin | Levy J | Pierce | Wende |
| Collin | Gould | Macdonald | Saunders | Wheeler |
| Colné | Graubard | MacGregor | Schifferdecker | Wilson |
| Constantine | Gregg | Manley | Seeley | Winters |
| Cosad | Gurnett | Martin | Shannon | Yale |
| Cross | Hackett | McCue | Sheide | Yeomans |
| Cuvillier | Haines | McDaniels | Shepardson | Young |
| Dawson | Hammond | McElligott | Shlivek | Zorn |
| Day | | | | |

Mr. A. J. Levy offered for the consideration of the House a resolution, in the words following:

Resolved, That Frank R. Pennock, deputy clerk in charge of city bills, be directed to remain for such period of time and at such compensation as the Clerk may determine, to assist in the proof-reading of the journals of the Assembly, to transmit city bills and documents, and to perform such other services as the

Clerk may direct, such compensation to be paid out of the moneys appropriated for the payment of the salaries and compensation of the officers and employees of the Legislature upon the certificate of the Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shortt |
| Allen | Donnelly | Hearn | McKeon | Smith A E |
| Baumes | Donovan | Herrick J J | Merritt | Smith T K |
| Beach | Drummond | Herrick W R | Miller | Spielberg |
| Blauvelt | Egan | Heyman | Monczynski | Stivers |
| Boylan | Evans | Higgins | Mork | Sweet |
| Brace | Farrell | Hinman | Murray | Talmage |
| Brennan | Fay | Hoey | Myers | Terry |
| Breton | Fillely | Hoff | Neupert | Thorn |
| Bridenbecker | Fitzpatrick | Hoyt | Nolan | Trombly |
| Brooks | Foley | Huber | Oliver | Turley |
| Brown | Friedman | Jackson | O'Neill J J | Walker |
| Bryant | Geatons | Jameson | O'Neil M A | Ward |
| Bush | Gerhardt | Jones | Pappert | Waring |
| Butler | Gerken | Kennedy | Parker A | Warren |
| Carew | Gillen | Kopp | Parker J S | Washburn |
| Caughlan | Goldberg | Lansing | Patrie | Waters F A |
| Chanler | Goldstein | LaReau | Phillips C W | Waters R B |
| Cheney | Goodman | Levy A J | Phillips J S | Weil |
| Coffey | Goodwin | Levy J | Pierce | Wende |
| Collin | Gould | Macdonald | Saunders | Wheeler |
| Colné | Graubard | MacGregor | Schifferdecker | Wilson |
| Constantine | Gregg | Manley | Seeley | Winters |
| Cosad | Gurnett | Martin | Shannon | Yale |
| Cross | Hackett | McCue | Sheide | Yeomans |
| Cuvillier | Haines | McDaniels | Shepardson | Young |
| Dawson | Hammond | McElligott | Shlivek | Zorn |
| Day | | | | |

Mr. Walker offered for the consideration of the House a resolution, in the words following:

Resolved, That the postmaster of the Assembly be and hereby is directed to remain for such period of time and at such compensation as the Clerk may determine, for the purpose of attending to the duties of his office and to forward mail matter to members and officers of the Assembly, such compensation to be paid out of the moneys appropriated for the payment of the salaries and compensation of the officers and employees of the Legislature upon the certificate of the Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Hart | McGrath | Shortt |
| Allen | Donnelly | Hearn | McKeon | Smith A E |
| Baumes | Donovan | Herrick J J | Merritt | Smith T K |
| Beach | Drummond | Herrick W R | Miller | Spielberg |
| Blauvelt | Egan | Heyman | Monczynski | Stivers |
| Boylan | Evans | Higgins | Mork | Sweet |
| Brace | Farrell | Hinman | Murray | Talmage |
| Brennan | Fay | Hoey | Myers | Terry |
| Brereton | Filley | Hoff | Neupert | Thorn |
| Bridenbecker | Fitzpatrick | Hoyt | Nolan | Trombly |
| Brooks | Foley | Huber | Oliver | Turley |
| Brown | Friedman | Jackson | O'Neill J J | Walker |
| Bryant | Geatons | Jameson | O'Neil M A | Ward |
| Bush | Gerhardt | Jones | Pappert | Waring |
| Butler | Gerken | Kennedy | Parker A | Warren |
| Carew | Gillen | Kopp | Parker J S | Washburn |
| Caughlan | Goldberg | Lansing | Patrie | Waters F A |
| Chanler | Goldstein | LaReau | Phillips C W | Waters R B |
| Cheney | Goodman | Levy A J | Phillips J S | Weil |
| Coffey | Goodwin | Levy J | Pierce | Wende |
| Collin | Gould | Macdonald | Saunders | Wheeler |
| Colné | Graubard | MacGregor | Schifferdecker | Wilson |
| Constantine | Grægg | Manley | Seeley | Winters |
| Cosad | Gurnett | Martin | Shannon | Yale |
| Cross | Hackett | McCue | Sheide | Yeomans |
| Cuvillier | Haines | McDaniels | Shepardson | Young |
| Dawson | Hammond | McElligott | Shlivek | Zorn |
| Day | | | | |

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *July 21, 1911.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 1994, Rec. No. 524), entitled "An act authorizing the village of Irvington to accept certain improved roadways as public streets," for the purpose of amendment.

By order of the Senate,
PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *July 21, 1911.*

Resolved (if the Assembly concur), That Senate bill (No. 1363, Rec. No. 309), entitled "An act to authorize the establishment and maintenance of a public hospital by the county of Oneida," be returned to the Governor.

By order of the Senate,
PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *July 21, 1911.*

Resolved (if the Assembly concur), That Senate bill (No. 958, Rec. No. 301), entitled "An act to validate proceedings heretofore taken for the issue of bonds by municipal corporations and districts," be returned to the Governor.

By order of the Senate,
PATRICK E. McCABE,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 2097, Int. No. 1437), entitled "An act to amend chapter five hundred and twenty-three of the Laws of eighteen hundred and ninety, entitled 'An act in relation to the office of sheriff of the city and county of New York,'" with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

Also, the bill (No. 803, Int. No. 733), entitled "An act to amend the Greater New York charter, in relation to an additional justice of the municipal court in the third district of the borough of Brooklyn."

Also, the bill (No. 2037, Int. No. 1192), entitled "An act to amend the Greater New York charter, in relation to furnishing free spectacles or eyeglasses to school children."

Also, the bill (No. 1859, Int. No. 929), entitled "An act providing for the sale of the State arsenal lands and buildings in the city of New York, and the application of the proceeds of such sale to a new State arsenal lands and building, new buildings, repairs to State armories and for other purposes relative to the same," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit certified copies to the mayor of the city of New York.

The Senate returned the bill (No. 2237, Int. No. 1804), entitled "An act to amend chapter five hundred and forty-five of the Laws of nineteen hundred and nine, entitled 'An act to revise and consolidate the charter of the village of Medina,' generally."

Also, the bill (No. 2000, Int. No. 1643), entitled "An act to repeal chapter two hundred and twenty-nine of the Laws of eighteen hundred and seventy-nine, entitled 'An act in reference to the collection of taxes in the counties of Chautauqua and Cattaraugus,' and the acts amendatory thereof."

Also, the bill (No. 1835, Int. No. 494), entitled "An act to amend the Tax Law, in relation to ascertaining value of special franchises and equalization thereof, powers of State Board of Tax Commissioners, and review of assessments."

Also, the bill (No. 2133, Int. No. 1722), entitled "An act to amend the Public Health Law, in relation to eligibility to dental examinations."

Also, the bill (No. 1867, Int. No. 1540), entitled "An act creating a commission to inquire into the pensioning of civil service employees, and directing such commission to report to the Legislature thereon, with recommendations, and making an appropriation therefor."

Also, the bill (No. 2575, Int. No. 1774), entitled "An act to amend the Forest, Fish and Game Law, in relation to the fee for issuing a hunting license."

Also, the bill (No. 2488, Int. No. 1911), entitled "An act to amend the Penal Law, in relation to the exaction of unlawful dues or assessments on behalf of secret fraternal associations, societies, orders or organizations."

Also, the bill (No. 844, Int. No. 763), entitled "An act to amend the Labor Law, in relation to violations thereof by officers, agents and employees of any commission appointed pursuant to law," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 2576, Int. No. 901), entitled "An act to amend the Railroad Law, in relation to the revocation of the appointment of conductors and brakemen as policemen."

Also, the bill (No. 2591, Int. No. 696), entitled "An act to amend the Public Health Law, in relation to the use of common drinking cups," with a message that they have reconsidered their vote by which said bills passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 2600, Int. No. 1954), entitled "An act to amend the Election Law, in relation to registration and the organization of boards of elections," with a message that they have concurred in the passage of the same without amendments.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1013, Int. No. 914), entitled "An act to authorize the board of estimate and apportionment of the city of New York to hear, audit and determine the alleged claim of Jacob Bausch for moneys expended by him in employing a telephone operator for the board of coroners of the borough of Manhattan, from January first, nineteen hundred and nine, to December twenty-ninth, nineteen hundred and nine," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2247, Int. No. 1814), entitled "An act to amend the Education Law, relating to meetings of boards of education and the assessment of taxes."

Also, the bill (No. 1177, Int. No. 497), entitled "An act to amend the Tax Law, in relation to equalization by board of supervisors," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

Also, the bill (No. 361, Int. No. 354), entitled "An act conferring upon a former officer of the superior court of Buffalo the benefits of the police pension fund in the city of Buffalo," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

The Senate returned the Assembly bill (No. 605, Senate Reprint No. 2171, Int. No. 104), entitled "An act to amend the Military Law, in relation to the military secretary to the Governor."

Also, Assembly bill (No. 1604, Senate Reprint No. 2120, Int. No. 1348), entitled "An act to legalize the adoption of a proposition at the annual charter election of the village of Montour Falls, held on March twenty-first, nineteen hundred and eleven, authorizing such village to borrow money for paving a portion of Main street, and the proceedings of the board of trustees prior to such election in respect to the submission of such proposition, and authorizing the issue of bonds or notes for such purpose and providing for the payment thereof."

Also, Assembly bill (No. 2078, Senate Reprint No. 2092, Int. No. 1690), entitled "An act to amend the Liquor Tax Law, in relation to sales of liquor to United States soldiers and cadets."

Also, Assembly bill (No. 2476, Senate Reprint No. 2039, Int. No. 1703), entitled "An act to amend the Labor Law, by providing for the licensing and regulation of immigrant lodging places."

Also, Assembly bill (No. 781, Senate Reprint No. 2129, Int.

No. 714), entitled "An act to amend the Agricultural Law, in relation to manufacture and sale of spirits of turpentine, turpentine, and linseed and flaxseed oil."

Also, Assembly bill (No. 1908, Senate Reprint No. 1939, Int. No. 1156), entitled "An act to amend the Code of Civil Procedure, in relation to hearing before removal of certain court officers."

Also, Assembly bill (No. 2500, Senate Reprint No. 2194, Int. No. 1605), entitled "An act to progress the work of constructing the new Harlem prison, at Wingdale, to take the place of Sing Sing prison, and making an appropriation therefor."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Assembly bill (No. 1895, Senate Reprint No. 2218, Int. No. 1569), entitled "An act to amend the Greater New York charter, in relation to the jurisdiction of commissioner of parks of the boroughs of Brooklyn and Queens over certain streets."

Also, Assembly bill (No. 1143, Senate Reprint No. 2219, Int. No. 1017), entitled "An act authorizing the board of assessors of the city of New York to determine and allow damages sustained by owners of real property in the city of New York by reason of the change of grade on any street in said city caused by the improvement of the Queens borough bridge."

Also, Assembly bill (No. 1936, Senate Reprint No. 2071, Int. No. 1597), entitled "An act to amend chapter one hundred and sixty-four of the Laws of nineteen hundred and seven, entitled 'An act to incorporate "The Queens Borough Public Library," and to permit libraries in the borough of Queens of the city of New York to convey their property thereto, and limiting and defining the powers thereof,' in relation to terms and appointment of trustees of such corporation."

Also, Assembly bill (No. 1424, Senate Reprint No. 2220, Int. No. 1208), entitled "An act to amend the Greater New York charter, in relation to the registration of births not previously recorded."

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

The Senate returned the Assembly bill (No. 2457, Senate Reprint No. 2098, Int. No. 1565), entitled "An act to amend the

Greater New York charter, in relation to the better prevention of fires.”

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the Assembly bill (No. 1729, Int. No. 1445), entitled “An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled ‘An act to revise the charter of the city of Buffalo,’ relating to the destruction of noxious weeds in said city,” with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

Also, Assembly bill (No. 1706, Int. No. 1430), entitled “An act to amend chapter five hundred and thirty-seven of the Laws of eighteen hundred and ninety-three, entitled ‘An act providing for ascertaining and paying the amount of damages to lands and buildings, suffered by reason of change of grade of streets or avenues, made pursuant to chapter seven hundred and twenty-one of the Laws of eighteen hundred and eighty-seven, providing for the depression of railroad tracks in the twenty-third and twenty-fourth ward in the city of New York or otherwise,’ as amended by chapter five hundred and sixty-seven of the Laws of eighteen hundred and ninety-four, entitled ‘An act to amend chapter five hundred and thirty-seven of the Laws of eighteen hundred and ninety-three, entitled “An act providing for ascertaining and paying the amount of damages to lands and buildings suffered by reason of change of grade of streets or avenues, made pursuant to chapter seven hundred and twenty-one of the Laws of eighteen hundred and eighty-seven, providing for the depression of railroad tracks in the twenty-third and twenty-fourth wards in the city of New York or otherwise,”’ relative to damages caused by change of grade in the borough of the Bronx (formerly the twenty-third and twenty-fourth wards) of the city of New York, by permitting the filing of additional claims, under the provisions of said chapter five hundred and thirty-seven of the Laws of eighteen hundred and ninety-three, as amended by chapter five hundred and sixty-seven of the Laws of eighteen hundred and ninety-four, and to extend the time for filing such claims,

and for the appointment of commissioners of appraisal," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

Also, Assembly bill (No. 2336, Int. No. 1886), entitled "An act to amend chapter four of the Laws of eighteen hundred and ninety-one, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants,' as amended generally by chapter four hundred and ninety-eight of the Laws of nineteen hundred and nine, respecting changes of grade," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the Assembly bill (No. 2243, Int. No. 1810), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of any officer or member of the State militia for counsel fees and expenses, and to render judgment therefor."

Also, Assembly bill (No. 1381, Int. No. 1171), entitled "An act to incorporate The World Bible League," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Assembly bill (No. 1024, Int. No. 920), entitled "An act to amend chapter four hundred and seventy-eight of the Laws of eighteen hundred and ninety-three, entitled 'An act to incorporate the city of Olean,' relative to the territorial limits of said city," with a message that this bill was again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be "Shall this bill pass notwithstanding the objection of the mayor and the legislative body of the city of Olean thereto?"

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Assembly bill (No. 1422, Senate Reprint No. 2236, Int. No. 1206), entitled "An act to amend chap-

ter five hundred and six of the Laws of nineteen hundred and two, entitled 'An act to amend the charter of the village of Saratoga Springs, and to provide for the appointment of sewer, water and street commissioners for said village, and to prescribe their powers and duties,' in relation to transfer and application of certain local improvement funds in said village."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Assembly bill (No. 2329, Senate Reprint No. 2276, Int. No. 1318), entitled "An act making appropriations for the support of government."

Also, Assembly bill (No. 2597, Senate Reprint No. 2277, Int. No. 1927), entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the concurrent resolution in relation to the appointment of a joint committee on the question of water storage and conservation, with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said resolution to the Senate.

The Senate returned the concurrent resolution in relation to printing the proceedings of the Hill memorial service, with a message that they have concurred in the passage of the same without amendment.

Mr. Bush moved to reconsider the vote by which said resolution was adopted.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote by which said resolution was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|-------------|-----------|
| Adler | DeLano | Hart | McGrath | Shortt |
| Allen | Donnelly | Hearn | McKeon | Smith A E |
| Baumes | Donovan | Herrick J J | Merritt | Smith T K |
| Beach | Drummond | Herrick W R | Miller | Spielberg |
| Blauvelt | Egan | Heyman | Moneczynski | Stivers |

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Boylan | Evans | Higgins | Mork | Sweet |
| Brace | Farrell | Hinman | Murray | Talmage |
| Brennan | Fay | Hoey | Myers | Terry |
| Brereton | Filley | Hoff | Neupert | Thorn |
| Bridenbecker | Fitzpatrick | Hoyt | Nolan | Trombly |
| Brooks | Foley | Huber | Oliver | Turley |
| Brown | Friedman | Jackson | O'Neill J J | Walker |
| Bryant | Geatons | Jameson | O'Neil M A | Ward |
| Bush | Gerhardt | Jones | Pappert | Waring |
| Butler | Gerken | Kennedy | Parker A | Warren |
| Carew | Gillen | Kopp | Parker J S | Washburn |
| Caughlan | Goldberg | Lansing | Patrie | Waters F A |
| Chanler | Goldstein | LaReau | Phillips C W | Waters R B |
| Cheney | Goodman | Levy A J | Parker J S | Weil |
| Coffey | Goodwin | Levy J | Pierce | Wende |
| Collin | Gould | Macdonald | Saunders | Wheeler |
| Colné | Graubard | MacGregor | Schifferdecker | Wilson |
| Constantine | Gregg | Manley | Seeley | Winters |
| Cosad | Gurnett | Martin | Shannon | Yale |
| Cross | Hackett | McCue | Sheide | Yeomans |
| Cuvillier | Haines | McDaniels | Shepardson | Young |
| Dawson | Hammond | McElligott | Shlivek | Zorn |
| Day | | | | |

Said resolution having been announced,

Mr. Bush moved to amend the same so as to read as follows:

Resolved (if the Senate concur), That fourteen thousand copies of the proceedings of the Legislature in relation to the memorial services for the late United States Senator David Bennett Hill be printed and distributed as follows: 50 copies to each Senator; 30 copies to each member of Assembly; 500 copies to the State officers; 200 copies to the Clerks of the Senate and Assembly and their deputies; and the balance to the executors of the will of the deceased.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|------------|-----------|
| Adler | DeLano | Hart | McGrath | Shortt |
| Allen | Donnelly | Hearn | McKeon | Smith A E |
| Baumes | Donovan | Herrick J J | Merritt | Smith T K |
| Beach | Drummond | Herrick W R | Miller | Spielberg |
| Blauvelt | Egan | Heyman | Monczynski | Stivers |
| Boylan | Evans | Higgins | Mork | Sweet |
| Brace | Farrell | Hinman | Murray | Talmage |
| Brennan | Fay | Hoey | Myers | Terry |
| Brereton | Filley | Hoff | Neupert | Thorn |
| Bridenbecker | Fitzpatrick | Hoyt | Nolan | Trombly |

| | | | | |
|-------------|-----------|------------|----------------|------------|
| Brooks | Foley | Huber | Oliver | Turley |
| Brown | Friedman | Jackson | O'Neill J J | Walker |
| Bryant | Geatons | Jameson | O'Neil M A | Ward |
| Bush | Gerhardt | Jones | Pappert | Waring |
| Butler | Gerken | Kennedy | Parker A | Warren |
| Carew | Gillen | Kopp | Parker J S | Washburn |
| Caughlan | Goldberg | Lansing | Patrie | Waters F A |
| Chanler | Goldstein | LaReau | Phillips C W | Waters R B |
| Chcney | Goodman | Levy A J | Phillips J S | Weil |
| Coffey | Goodwin | Levy J | Pierce | Wende |
| Collin | Gould | Macdonald | Saunders | Wheeler |
| Colné | Graubard | MacGregor | Schifferdecker | Wilson |
| Constantine | Gregg | Manley | Seeley | Winters |
| Cosad | Gurnett | Martin | Shannon | Yale |
| Cross | Hackett | McCue | Sheide | Yeomans |
| Cuvillier | Haines | McDaniels | Shepardson | Young |
| Dawson | Hammond | McElligott | Shlivek | Zorn |
| Day | | | | |

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said resolution, and, as amended, have again passed the same.

The Senate returned the concurrent resolution in relation to an adjournment until Wednesday, September the 6th, 1911, with a message that they have concurred in the passage of the same without amendment.

The Senate returned the concurrent resolution in relation to the expenses of the Hill memorial service, with a message that they have concurred in the passage of the same without amendment.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 2165, Int. No. 1742), entitled "An act to increase the number of justices of the Supreme Court in the second judicial district of the State, and to provide for additional justices therein," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No 298, Int. No. 297), entitled "An act to incorporate 'The Pelham Firemen's Association' of the town of Pelham, New York," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Phillip J. Keller, mayor of the city of Niagara Falls, returning Assembly bill (No. 2448, Senate Reprint No. 1957, Int. No. 1948), entitled "An act

to legalize and confirm the official acts of the various females appointed commissioners of deeds by the common council of the city of Niagara Falls between the thirteenth day of April, nineteen hundred and four, and the first day of January, nineteen hundred and eleven," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. L. P. Fuhrmann, mayor of the city of Buffalo, returning Assembly bill (No. 1781, Int. No. 1495), entitled "An act to ratify and confirm certain proceedings of the common council, mayor and comptroller of the city of Buffalo, relating to the sale of bonds of said city for the purpose of raising money with which to improve park property in said city," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. L. P. Fuhrmann, mayor of the city of Buffalo, returning Assembly bill (No. 1782, Int. No. 1496), entitled "An act to amend chapter fifty-six of the Laws of nineteen hundred and eight, entitled 'An act to authorize the city of Buffalo to issue its bonds, in the sum of two million dollars, for the purpose of acquiring additional park lands and lands along the water front, and improving the same,' as amended by chapter forty-one of the Laws of nineteen hundred and eleven, relating to the issue of bonds for park purposes," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *March 15, 1911.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 186, Int. No. 185), entitled "An act to authorize the town of Frankfort in Herkimer county to provide for the construction of a State highway of additional width and pay the expense thereof."

JOHN A. DIX.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, May 18, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 972, Int. No. 881), entitled "An act to amend chapter eighty-two of the Laws of nineteen hundred and three, entitled 'An act to make the office of sheriff of Dutchess county a salaried office, and to regulate the management of said office,' in relation to the compensation of the janitor and bookkeeper in the office of said sheriff."

JOHN A. DIX.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, June 10, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1333, Int. No. 1146), entitled "An act relating to the Capitol building and a suitable building for the Court of Appeals, and reappropriating balance of appropriations heretofore made for designs, plans and specifications for alterations and extensions to building known as the State house, to render the same suitable for use by the Court of Appeals."

JOHN A. DIX.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, June 14, 1911.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1494, Senate Reprint No. 509, Int. No. 668), entitled "An act to amend the Election Law, in relation to creating a board of elections in Erie county, and defining its powers and duties."

JOHN A. DIX.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *June 21, 1911.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1665, Int. No. 1388), entitled "An act to authorize the Comptroller of the State of New York to hear and determine the application of James Jones for the cancellation of tax sales of lot number six, Woodhull tract, situated in the town of Wilmurt, in the county of Herkimer."

JOHN A. DIX.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *June 29, 1911.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2224, Int. No. 1795), entitled "An act to amend the Highway Law, in relation to the construction of county highways by towns."

JOHN A. DIX.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 18, 1911.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2227, Int. No. 1798), entitled "An act to amend the Highway Law, in relation to State aid for towns in the building of highways."

JOHN A. DIX.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *July 21, 1911.**To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1228, Int. No. 1061), entitled "An act to release to the heirs-at-law of John Elliott all the right, title and interest of the people of the State of New York in and to certain real estate, formerly owned by Matilda Clifton, deceased, in the city of Buffalo."

JOHN A. DIX.

A communication from the mayor of the city of New York was received and read, in the words following:

STATE OF NEW YORK — MAYOR'S OFFICE,

CITY OF NEW YORK, *July 19, 1911.**To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment certified copy of Assembly bill (No. 1628, Int. No. 1372), entitled "An act to organize and equip a colored regiment of infantry in the city of New York, to become a part of the National Guard of the State of New York.

WM. J. GAYNOR,

Mayor of the City of New York.

A communication was received from Hon. William J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2564, Int. No. 872), entitled "An act to authorize the comptroller of the city of New York to cancel certain assessments on real property for the improvement of Grand street in the borough of Brooklyn, from Hooper street to Bridge plaza, and to provide for the refunding of such assessments heretofore paid," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received from Hon. William J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2559, Int. No. 1915), entitled "An act directing the board of estimate and apportionment of the city of New York, in its discretion, to cancel certain assessments on real property in the borough of Brooklyn, and refund assessments heretofore paid, and assess the same on the borough of Brooklyn," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received from Hon. William J. Gaynor, mayor of the city of New York, returning Assembly bill (No.

2365, Int. No. 1905), entitled "An act to amend section one thousand and nineteen of the Greater New York charter, in relation to payment of assessments for local improvements," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received from Hon. William J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2080, Senate Reprint No. 2078, Int. No. 1692), entitled "An act to amend the Inferior Criminal' Courts Act of the city of New York, in relation to salaries of certain officers and employees of the city magistrates' courts of said city," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received from Hon. William J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 1870, Int. No. 1543), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' with reference to when and under what circumstances leave to prosecute an action as a poor person may be granted," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received from Hon. William J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 737, Int. No. 289), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to authority to set aside judgments for error in fact," with a message that said mayor, after a public hearing thereon, does not approve said bill, and does not accept the same.

The Senate returned, for the purpose of amendment, Assembly bill (No. 1328, Int. No. 1141), entitled "An act to amend the Dunkirk charter, in relation to the eligibility of officers."

The Clerk announced the resignation of John A. Bell, deputy clerk, to take effect July 31, 1911.

Pursuant to concurrent resolution, the House adjourned until Wednesday, September 6th, at 8:30 o'clock.

WEDNESDAY, SEPTEMBER 6, 1911.

The House met pursuant to adjournment.

Prayer by Rev. William A. Dumont, Coxsackie.

On motion of Mr. A. E. Smith, the reading of the journal of Friday, July 21, 1911, was dispensed with and the same was approved.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 24, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 2024), entitled "An act to amend chapter three hundred and fifty-seven of the Laws of nineteen hundred and five, entitled 'An act to revise the several acts relative to the city of Tonawanda,' generally."

This bill amends the charter of the city of Tonawanda. This bill has at least fourteen defects in the phraseology thereof and I am of the opinion that the city will not be injured if a postponement of these amendments should be had until a proper and suitably amended charter can be prepared and passed by the Legislature.

For this reason I disapprove this bill.

JOHN A. DIX.

On motion of Mr. MacGregor, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 24, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 2348), entitled "An act to provide for representation of the State of New York at the International Exhibition of Work in Public Health and Vital Statistics to be held in connection with the Fifteenth International Congress of Hygiene and Demography which will convene in Washington, District of Columbia, in September, nineteen hundred and twelve, and making an appropriation therefor."

This bill appropriates the sum of \$5,000 to pay the expenses of a committee of five persons to represent the State of New York at the International Exhibition of Work in Public Health and Vital Statistics, to be held in connection with the Fifteenth International Congress of Hygiene and Demography, which will convene in Washington, D. C., in September, 1912.

There is no apparent necessity for making this appropriation at this time for the reason that a Legislature will be in session in January, 1912, which can make the appropriation provided for by this bill.

For this reason I disapprove this bill.

(Signed) JOHN A. DIX.

On motion of Mr. Bush, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 24, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 2091), entitled "An act to amend the Penal Law, in relation to certain railroad employees."

The purpose of this bill is said to be for the better protection of the public traveling on railroads. The bill extends the general law so that a man employed by a railroad in connection with the operation of telegraph, telephone or signal systems shall not be eligible unless he has reached the age of 21 years, nor unless he has had one year's experience as signalman, telegraph or telephone operator, as an apprentice, before his employment in such capacity.

I am of the opinion that the present law fixing the age of eighteen years as sufficient for the protection of the public is satisfactory, and that this bill by extending the time to twenty-one years and requiring a person to serve as an apprentice accomplishes no additional benefit to the public in the way of their protection.

If there is any dispute as to this matter, it should, in my judgment, be placed under the jurisdiction of the Public Service Commissions by suitable enactment, which after examination should have the power to make rules and regulations concerning such change.

For these reasons I disapprove this bill.

(Signed) JOHN A. DIX.

On motion of Mr. Evans, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 24, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 2565), entitled "An act to amend chapter six hundred and eighty-five of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the department of public safety of the city of Syracuse.'"

This bill was heretofore passed and sent to the Governor on June 22, 1911. It was objected to at that time and was recalled.

The objectionable matter, however, has not been changed.

This bill, in my judgment, weakens the effect of the general Civil Service Law of the State and for that reason I disapprove it.

(Signed) JOHN A. DIX.

On motion of Mr. Hammond, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 24, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 478), entitled "An act to provide for the preparation, printing and distribution of a report of the dedication of the New York State Central Historical Memorial, and reappropriating an unexpended balance to defray the expenses therefor."

This bill provides for the preparation, printing and distribution of a report of the dedication of the New York State Central Historical Memorial on Lookout Mountain, Tennessee, for distribution by the commission to veterans of New York commands of the Eleventh and Twelfth Army Corps that took part in the military operations at that place.

The appropriation asked for this purpose is \$8,500. Owing to the necessity for rigid economy, which must be adhered to, I am unable to approve this measure. For this reason this bill is disapproved.

(Signed) JOHN A. DIX.

On motion of Mr. Merritt, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 24, 1911.*

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 2075, Senate Reprint No. 2003), entitled "An act to provide for the purchase of a plot of land, or the obtaining of a grant or the privilege of a plot of land or a site on the battlefield of Antietam, and for the erection of a monument in commemoration of the soldiers of the Fourteenth Regiment, New York State Militia, Infantry, known upon the rolls of the United States army during the late Civil War as the Eighty-fourth New York Volunteers, Infantry, who were engaged in the battle of Antietam, Maryland, September sixteenth and seventeenth, eighteen hundred and sixty-two, and making an appropriation therefor and amendatory of chapter five hundred and thirteen of the Laws of nineteen hundred and ten, making appropriation for a suitable site on the battlefield of Antietam, Maryland, and the erection thereon of a monument in commemoration of the services, et cetera, of the Fourteenth Regiment of the New York State Militia, Infantry."

This bill makes the small appropriation of \$500 and reappropriates the sum of \$1,500 for the purpose of placing suitable monuments at Antietam, Maryland, in honor of soldiers who were killed in the service of their country.

If the State had sufficient resources and it was not necessary to enforce a rigid rule of economy, I would gladly approve this bill. But I have heretofore disapprove meritorious measures increasing the salaries of employees in State hospitals, prisons and reformatories, and on account of such disapproval I would not be justified in granting this appropriation at this time.

For these reasons I disapprove this bill.

(Signed) JOHN A. DIX.

On motion of Mr. Hoff, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, July 24, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 1090), entitled "An act to amend the Code of Civil Procedure, in relation to satisfaction of judgment in action on attachment."

This bill amends the Code of Civil Procedure in relation to the satisfaction of judgment in action on attachment.

No sufficient reason or argument has been placed before me to justify this amendment. For this reason I disapprove the bill.

(Signed) JOHN A. DIX.

On motion of Mr. Warren, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, July 24, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 1503), entitled "An act in relation to the title and possession of a certain lot in the Evergreen cemetery in East New York, Long Island, and confirming a transfer thereof to Annie Johnson."

This is a special act to confirm the title and possession of a certain lot in the Evergreen cemetery in East New York, Long Island, and confirming the transfer thereof to a named individual.

This is special legislation, and is objected to for that reason. If the general law is not broad enough to accomplish the result sought by this bill, it should be suitably amended so that hereafter every person placed in the same condition can obtain the relief which this bill proposes to grant.

For this reason I disapprove this bill.

(Signed) JOHN A. DIX.

On motion of Mr. Ward, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 24, 1911.*

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 2491), entitled "An act to amend the General City Law, in relation to licenses for theatrical and other entertainments and performances, in cities of the first class."

This bill proposes that where a license is refused for certain performances in a city of the first class, it shall be the duty of the officer making such refusal to state at length the evidence taken by him, and his reasons therefor, so that the same may be reviewed by the courts.

No good and sufficient reason has been given why the discretionary power of licensing certain performances which now exists under the present law should be modified, and for this reason I disapprove this bill

(Signed) JOHN A. DIX.

On motion of Mr. Oliver, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 24, 1911.*

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 1732), entitled "An act to legalize and validate the proceedings of the village of South Glens Falls, in the adoption of a proposition to authorize the establishment of a sewer system and disposal works, in said village, adopted by the electors thereof, March twenty-first, nineteen hundred and eleven, and to issue bonds of the village for the construction of said sewer system to the amount of forty thousand dollars; and to authorize the said village to construct a sewer system and disposal works in said village at the expense of the village, not to exceed in cost the sum of forty thousand dollars and for making, issuing and selling bonds for the payment of the same, and to provide for the payment of said bonds by tax."

It is claimed that the election conducted by the village of South Glens Falls was illegal on account of a number of people being allowed to vote who were not properly qualified as to the amount of property which would entitle them to lawfully vote at an election providing for the issuing of bonds in such village.

I have now before me a general bill which will be approved, and under which the matter can be submitted to the courts for determination as to whether the election was conducted sufficiently in compliance with the law as to render the proceedings valid.

For this reason I disapprove this bill.

(Signed) JOHN A. DIX.

On motion of Mr. Martin, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 24, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 88), entitled "An act to provide for the construction of a dike or dikes for the protection of property adjacent to the Delaware river in the city of Port Jervis, by the completion of the work begun under chapter seven hundred and sixteen of the Laws of nineteen hundred and four, the acquisition of lands necessary for such purpose, and making an appropriation therefor."

This bill appropriates the sum of \$35,000 to provide for the construction of a dike or dikes for the protection of property adjacent to the Delaware river in the city of Port Jervis, and provides that such work shall be done under the direction of the Superintendent of Public Works.

There is no obligation on the part of the State to make this improvement and for this reason I disapprove this bill.

(Signed) JOHN A. DIX.

On motion of Mr. Stivers, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 24, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 2468, Senate Reprint No. 2109), entitled "An act to amend the Forest, Fish and Game Law, in relation to the taking of Mongolian ring-necked or other pheasants."

This bill amends section 96 of the Forest, Fish and Game Law in relation to Mongolian, ring-necked and other pheasants. This section has been heretofore twice amended by the Legislature at this session and I am of the opinion that no other amendment should be made at this time.

I recommend that this subject be referred to the Conservation Commission, under suitable regulations, so that after examination and hearing they may regulate the taking of fish and game and thus relieve the Legislature from the necessity of passing the numerous amendments which are deemed to be necessary every year.

For these reasons I disapprove this bill.

(Signed) JOHN A. DIX.

On motion of Mr. C. W. Phillips, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 24, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 2102), entitled "An act providing for the erection of a boathouse, shelters, wharves and retaining walls at the city of Buffalo for the Third Division of the Third Battalion of the Naval Militia, upon lands of the State in the city of Buffalo, and making an appropriation therefor."

This bill provides for the erection of a boathouse, shelters, wharves and retaining walls at the city of Buffalo for the Third Division of the Third Battalion of the Naval Militia and appropriates for such purpose the sum of \$5,000.

I have no information before me at this time showing that this appropriation is absolutely necessary, and for that reason I disapprove the bill.

(Signed) JOHN A. DIX.

On motion of Mr. Jackson, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 24, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 1321), entitled "An act to provide for reconstructing a building now used as a toilet and storehouse at Washington's headquarters in the city of Newburgh, and making an appropriation therefor."

This bill appropriates the sum of \$1,500 for reconstructing outbuildings on the premises known as Washington's headquarters in the city of Newburgh, now used for a public toilet and storehouse.

No urgent necessity has been shown for this appropriation at this time, and for that reason I disapprove the bill.

(Signed) JOHN A. DIX.

On motion of Mr. Baumes, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 24, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 2337), entitled "An act to provide for the maintenance by the State of a portion of a highway in the town of Ovid, Seneca county, and making an appropriation therefor."

This bill appropriates the sum of \$10,000 to provide for the maintenance by the State of a portion of a highway in the town of Ovid, Seneca county.

The purpose of this bill is to relieve the town affected from the maintenance of a highway for which they are now liable, and to place the same upon the State. There is no reason for the change which will justify me in permitting this appropriation to be made at this time, and for that reason I disapprove the bill.

(Signed) JOHN A. DIX.

On motion of Mr. Cosad, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 24, 1911.*

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 599), entitled "An act to amend the Education Law, in relation to the establishment of a State school of sanitary science and public health at Cornell University, and making an appropriation therefor."

This bill was passed by the Legislature and received in this office some time in June. It was objected to at that time and recalled. It is again returned without amendment.

The purpose of this bill is to establish a State school of sanitary science and public health at Cornell University, and makes an appropriation of \$10,000 for such purpose. However commendable the purpose of this bill may be, in my judgment the State is not in a position at this time, owing to the condition of the State finances, to undertake this work, and for that reason I disapprove this bill.

(Signed) JOHN A. DIX.

On motion of Mr. Bush, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 25, 1911.*

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 2517), entitled "An act to incorporate the city of Beacon."

I intend to recommend to the Legislature of 1912, and have ready for its consideration a uniform charter for cities of the third class. Such charter should be most carefully prepared and be broad enough in its provisions to permit any existing community or communities by voting upon the question to adopt its provisions and thereafter be governed by such law.

For this reason I disapprove this bill.

(Signed) JOHN A. DIX.

On motion of Mr. Hoyt, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 25, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 2099, Senate Reprint No. 2051), entitled "An act to amend the Labor Law, in relation to the protection of employees operating machinery."

The purpose of this bill is to strengthen the law in relation to the protection of employees operating machinery. This purpose is most commendable, but the bill contains a provision that the Commissioner of Labor shall make suitable rules and regulations before certain machinery can be used. Before these regulations become final they must be approved by the Governor. In my judgment this provision is not wise, as the bill is essentially a matter pertaining to the Labor Department, and hearings should be held before the Commissioner, who alone has the authority and responsibility of such decisions.

For this reason I disapprove this bill.

(Signed) JOHN A. DIX.

On motion of Mr. C. W. Phillips, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 26, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 2171), entitled "An act to make the office of sheriff of Wyoming county a salaried office, and to regulate the management of said office."

The purpose of this bill is to regulate the office of the sheriff of Wyoming county, making it a salaried office, and fixing the salaries of his assistants and deputies.

I have heretofore approved a general law conferring upon boards of supervisors of all counties in the State the right to regulate the salary of every county official excepting county judge and surrogate. If I should approve this bill it would weaken the general law so far as Wyoming county is concerned.

For this reason I disapprove this bill.

(Signed) JOHN A. DIX.

On motion of Mr. Gurnett, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 26, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 628), entitled "An act to amend the Personal Property Law, relative to transfers of shares of stock in corporations."

I am not satisfied that the proposed amendment to the Personal Property Law, relative to transfers of shares of stock in corporations, is wise or prudent.

No necessity for this bill has been shown, and for that reason I disapprove it.

(Signed) JOHN A. DIX.

On motion of Mr. Foley, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 27, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 298), entitled "An act to incorporate 'The Pelham Firemen's Association' of the town of Pelham, New York."

The purpose of this bill is to incorporate the Pelham Firemen's Association of the town of Pelham, New York. This corporation can be formed under the general law as it now stands. If the general law is not broad enough to give them the benefits of money received by way of tax on the business of policies of foreign fire insurance companies doing business within the corporate limits of the town of Pelham, it should be suitably amended, so as to take care of this case, and for these reasons, I disapprove this bill.

(Signed) JOHN A. DIX.

On motion of Mr. Coffey, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 27, 1911.*

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 2240), entitled "An act to legalize certain tax assessments."

This bill is general in terms and seeks to legalize an assessment for the purpose of taxation on real and personal property theretofore made, by providing that such assessment shall not be deemed invalid because the property was assessed to the estate of a decedent instead of to his personal representatives, devisees, legatees, heirs or next of kin. The purpose of this bill is to legalize some specific case, and is special legislation. For that reason I disapprove it.

(Signed) JOHN A. DIX.

On motion of Mr. J. S. Phillips, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 27, 1911.*

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 1809), entitled "An act to amend the Forest, Fish and Game Law, in relation to the local regulations for the taking of birds or game."

This bill amends the Forest, Fish and Game Law by inserting therein a new section, to be known as section 32-A, to provide for a game and bird refuge. It is made the duty of the Forest, Fish and Game Commissioner on the request of a majority of the town board of any town to prohibit or regulate the taking of birds or game on land set aside with the consent of the owner or owners thereof as a game and bird refuge.

In my judgment the law should be suitably amended by conferring power upon the Conservation Commission to regulate this entire subject, and for that reason I disapprove this bill.

(Signed) JOHN A. DIX.

On motion of Mr. T. K. Smith, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 27, 1911.*

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 1781), entitled "An act to ratify and confirm certain proceedings of the common council, mayor and comptroller of the city of Buffalo, relating to the sale of bonds of said city for the purpose of raising money with which to improve park property in said city."

I have heretofore approved a general bill by which a proceeding may be taken before the Supreme Court for determining the question whether bonds have been properly issued. Such law is broad enough to include the purpose sought to be accomplished by this bill, and for that reason the bill is disapproved.

(Signed) JOHN A. DIX.

On motion of Mr. LaReau, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 27, 1911.*

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 1911, Senate Reprint No. 1833), entitled "An act to amend the Public Health Law, in relation to the use of common drinking cups."

The purpose of this bill is very commendable, but I am not satisfied that it has been as carefully prepared as it should be to effectuate the purpose sought.

For this reason I disapprove this bill.

(Signed) JOHN A. DIX.

On motion of Mr. Carew, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 27, 1911.*

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 1905, Senate Reprint No. 1939), entitled "An act to amend

the Code of Civil Procedure, in relation to hearing before removal of certain court officers."

This bill is objected to for two reasons: First, because it is a special city law affecting the city of New York, and it has not been transmitted to the city for action as required under the Constitution; second, because, in my judgment, it unnecessarily hampers public officials in removing persons who should be no longer connected with the public service, by providing that they can only be removed after charges have been preferred and an opportunity to be heard given, which necessarily involves the right to a review by the courts.

For these reasons the bill is disapproved.

(Signed) JOHN A. DIX.

On motion of Mr. McGrath, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 27, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 1782), entitled "An act to amend chapter fifty-six of the Laws of nineteen hundred and eight, entitled 'An act to authorize the city of Buffalo to issue its bonds in the sum of two million dollars for the purpose of acquiring additional park lands and lands along the water front, and improving the same,' as amended by chapter forty-one of the Laws of nineteen hundred and eleven, relating to the issue of bonds for park purposes."

This bill amends an act in relation to the city of Buffalo, authorizing the city to issue its bonds in the sum of \$2,000,000 for the purpose of acquiring additional park lands and lands along the water front, and improving the same.

This act has been heretofore amended by chapter 41 of the Laws of 1911 and, in my judgment, it should not be further amended at this session.

For this reason I disapprove this bill.

(Signed) JOHN A. DIX.

On motion of Mr. LaReau, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 27, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 844), entitled "An act to amend the Labor Law, in relation to violations thereof by officers, agents and employees of any commission appointed pursuant to law."

I am not satisfied that the amendments proposed by this bill are necessary, and for that reason I disapprove it.

(Signed) JOHN A. DIX.

On motion of Mr. Haines, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 27, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 2237), entitled "An act to amend chapter five hundred and forty-five of the Laws of nineteen hundred and nine, entitled 'An act to revise and consolidate the charter of the village of Medina,' generally."

The amendments proposed by this bill are not, in my judgment, of sufficient importance to warrant my approval of the measure. I recommended that the general Village Law be amended to confer power upon all villages to do the things proposed by this bill, and for that reason I disapprove it.

(Signed) JOHN A. DIX.

On motion of Mr. F. A. Waters, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 27, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 1604, Senate Reprint No. 2120), entitled "An act to legalize

the adoption of a proposition at the annual charter election of the village of Montour Falls, held on March twenty-first, nineteen hundred and eleven, authorizing such village to borrow money for paving a portion of Main street, and the proceedings of the board of trustees prior to such election in respect to the submission of such proposition, and authorizing the issue of bonds or notes for such purpose and providing for the payment thereof."

I have heretofore approved a general law which confers power upon the Supreme Court to investigate the question of whether bonds issued are lawfully issued, and such bill renders this special act unnecessary.

For that reason I disapprove this bill.

(Signed) JOHN A. DIX.

On motion of Mr. Gurnett, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, July 27, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 2545, Senate Reprint No. 2227), entitled "An act to amend the Liquor Tax Law, in relation to the issuance and limitation of certificates."

The effect of this bill is to restrict the number of liquor tax certificates which may be issued to persons desiring to engage in the traffic in liquors under subdivision two of section eight of the Liquor Tax Law.

After a careful consideration of this measure, I am not satisfied that it is a wise one, and for that reason I disapprove the bill.

(Signed) JOHN A. DIX.

Mr. McCue moved that said bill become a law notwithstanding the objections of the Governor, and that said motion lie upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay upon the table, and it was determined in the affirmative.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 28, 1911.*

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 2243), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of any officer or member of the State Militia for counsel fees and expenses, and to render judgment therefor.

The bill provides for conferring jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of any officer or member of the State Militia for counsel fees and expenses who shall have been successful in any trial or proceeding in this State to remove him from office. The bill is special legislation and is drafted to meet a particular case. If the general law is not broad enough to cover this subject it should be suitably amended so that every person similarly situated might have a tribunal to which they may present their claims without getting a special act of the Legislature.

For these reasons I disapprove the bill.

(Signed) JOHN A. DIX.

On motion of Mr. Caughlan, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 28, 1911.*

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 2586), entitled "An act to amend the Tax Law, relative to the making of special franchise valuations by the State Board of Tax Commimssioners."

I have to-day approved a bill amending the same section as proposed by this bill. If I should approve this measure it would destroy the amendment just approved, and for this reason I disapprove it.

(Signed) JOHN A. DIX.

On motion of Mr. Shortt, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 28, 1911.*

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 1540), entitled "An act to amend chapter four hundred and three of the Laws of nineteen hundred and three, entitled 'An act to create and establish a city court in and for the city of Cohoes, to provide for the appointment of the officers thereof, and to regulate the practice in said court,' in relation to the election and term of office of the city judge."

This bill amends the charter of the city of Cohoes, in relation to the office of city judge, by providing that the judge of the city court shall be elected instead of being appointed by the mayor.

I intend to recommend to the Legislature of 1912 a uniform charter for cities of the third class and have its provisions broad enough to permit the people to determine whether their city judge shall be elected or appointed as they may deem best.

For this reason I disapprove the bill.

(Signed) JOHN A. DIX.

On motion of Mr. Foley, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 28, 1911.*

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 1537), entitled "An act to amend the Forest, Fish and Game Law, in relation to appointment of special game protectors and wardens."

This bill amends the Forest, Fish and Game Law, in relation to the appointment of special game protectors and wardens. It provides that the Forest, Fish and Game Commissioner may appoint three additional game wardens who shall receive compensation to be at the rate of \$1,800 per year and their actual and necessary traveling expenses while in the discharge of their official duties.

This bill is objected to for the reason that there is no longer a Forest, Fish and Game Commissioner, his office having been abolished by the Conservation Commission. It would be impossible to have the statute a working one and for that reason I disapprove the bill.

(Signed) JOHN A. DIX.

On motion of Mr. Gurnett, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 29, 1911.*

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 1024, entitled "An act to amend chapter four hundred and seventy-eight of the Laws of eighteen hundred and ninety-three, entitled 'An act to incorporate the city of Olean,' relative to the territorial limits of said city."

The purpose of this bill is to extend the territorial limits of the city of Olean. I intend to recommend to the Legislature of 1912 a uniform charter for cities of the third class broad enough to permit a city to extend its boundaries without special act of the Legislature after submission of a proposition therefor to the people interested.

For this reason I disapprove the bill.

(Signed) JOHN A. DIX.

On motion of Mr. Cheney, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 29, 1911.*

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 1977), entitled "An act to erect the Niagara Frontier Sewerage and Water District, and for the appointment of a commission in and for said district, and to define the powers and duties of such commission."

This bill is objected to for the reason that the subject of the regulation of water supply, either for domestic purposes or for

storage purposes should be regulated by the Conservation Commission.

For this reason I disapprove the bill.

(Signed) JOHN A. DIX.

On motion of Mr. Jackson, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, July 29, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 2368), entitled "An act making reapportionments of certain unexpended balances of appropriations heretofore made for various State officers, commissions, departments and institutions."

The items of appropriations carried by this bill are included in a bill which I approved to-day, and for that reason I disapprove of this measure.

(Signed) JOHN A. DIX.

On motion of Mr. A. E. Smith, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, July 29, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 2386, Senate Reprint No. 2213), entitled "An act to amend the General Business Law, in relation to private banking and making the same applicable to the entire State."

The effect of this bill would be to give a banking franchise in perpetuity to all private bankers outside of cities of the first class, who at the present time are engaged in such business. None of these bankers are at present under the supervision of the Superintendent of Banks or any other officer. They would therefore be immune from all regulation. I am of the opinion that the proposed amendment provided for by this bill is not wise.

The effect of this bill would practically destroy the amendments to the Banking Law by chapter 348 of the Laws of 1910 which regulates private bankers and which act was sustained by

the United States Supreme Court of the United States in *Engle vs. O'Malley*, 219 U. S.

I am satisfied after a careful consideration of this bill that it should not receive executive approval, and for these reasons I disapprove this bill.

(Signed) JOHN A. DIX.

On motion of Mr. M. A. O'Neil, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 29, 1911.*

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 1867), entitled "An act creating a commission to inquire into the pensioning of civil service employees, and directing such commission to report to the Legislature thereon, with recommendations, and making an appropriation therefor."

This bill makes an appropriation of \$20,000, to be used by the commission to inquire into the pensioning of civil service employees, such commission to make a report to the Legislature on or before February 1, 1912.

I am of the opinion that it is not advisable to make this appropriation at this time, and for that reason I disapprove the bill.

(Signed) JOHN A. DIX.

On motion of Mr. Brennan, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 29, 1911.*

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 379), entitled "An act to amend the General Business Law, in relation to employment agencies."

No sufficient reason or argument has been advanced which convinces me that this bill is necessary, and for that reason I disapprove it.

(Signed) JOHN A. DIX.

On motion of Mr. T. K. Smith, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, July 29, 1911.

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 2384), entitled "An act to amend the Greater New York charter, in relation to the making of eligible lists of candidates for appointment on the teaching staff."

This bill amends the New York charter in relation to eligible lists for teachers under the board of education. Its purpose is stated to be to prevent the merging of eligible lists. The present merging of eligible lists is merely a matter of administrative detail and no special legislation is necessary to prevent it. Under the present law the board of education can prevent the merging of lists if they so desire.

But whether or not this is so, the bill does more than prevent the merging of eligible lists. It provides, for instance, that in the case of the teachers' eligible lists that such lists shall remain in force until exhausted, for a period not longer than three years. In other words, it requires that an eligible list must remain for three years, or until everybody on that list has been appointed. This prevents the board of education from securing year by year those who show themselves best qualified in open competitive examinations. It means that a man who succeeds in barely passing the minimum requirements is eligible for appointment for three years before those of much higher standing on a later list may be appointed. It favors the inefficient instead of the efficient and gives to those who succeed in passing the examination a more or less vested right as against the city's best interest. The city's best interest requires that in the matter of its teaching staff those showing themselves the most competent should be appointed.

The bill is strenuously objected to by all of the supervising officers connected with the Department of Education and, in my judgment, should not receive approval. For the reasons above stated I disapprove this bill.

(Signed) JOHN A. DIX.

On motion of Mr. Goldberg, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 29, 1911.*

To the Assembly:

I herewith return without my approval Assembly bill (Printed No. 2500, Senate Reprint No. 2194), entitled "An act to progress the work of constructing the new Harlem prison, at Wingdale, to take the place of Sing Sing prison, and making an appropriation therefor."

This bill appropriates the sum of \$300,000 for the purpose of necessary grading in the prison yard and for services in connection with the new prison at Wingdale. The item asked for is excessive and for that reason I disapprove the bill.

(Signed) JOHN A. DIX.

On motion of Mr. A. E. Smith, said message together with said bill was ordered laid upon the table.

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 28, 1911.*

Memorandum filed with Assembly bill (Printed No. 2597, Senate Reprint No. 2277), entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations."

Statement of items of appropriations of money contained in said bill, which are severally objected to, to wit:

Page 3, under the head of Executive:

"For the reasonable cost and expenses of proceedings by or before the Governor upon charges against or relative to the removal of any officer, including necessary assistance and the taking and reporting of the evidence and other expenses necessary, ten thousand dollars, or so much thereof as may be necessary, to be paid on the certificate of the Governor. \$10,000.00 "

This is disapproved for the reason that it is unnecessary.

Page 9, under the head of Administrative; Office of the Comptroller:

"For the Comptroller, for furnishing portable steel filing cases for original tax returns, deeds, abstracts of title, books and records relating to corporation taxes, land titles, taxes and tax sales, and for other furniture and necessary repairs in the various bureaus of the department, thirty-five thousand dollars, or so much thereof as may be necessary. \$35,000.00 "

In view of the prospect of changes within a comparatively short period, it would seem inadvisable to make this further expenditure at present.

Page 12, under the head of Administrative; Attorney-General:
"For the expense of investigating claims on behalf of or against the State, three thousand dollars, or so much thereof as may be necessary. \$3,000.00 "

This item is not deemed necessary to carry on the department work, in view of the other appropriations made for the Attorney-General's office.

Page 16, under the head of Legislative:
"For deficiency in appropriation for the expenses of the legislative committees including compensation of witnesses, to be paid upon the certificate of the Temporary President of the Senate or the Speaker of the Assembly, respectively; for indexing the bills, journals and documents of the Senate and Assembly; for the preparation of indices to Senate journals, bills and documents; for the preparation of session indices to Senate and Assembly bills, journals and documents; for indexing the executive journals of the Senate and for preparation of supplementary indices to Senate and Assembly bills, journals and documents; for insurance, postage, express and transportation of letters, documents and other matter sent by express or freight, including boxes and coverings for the same; for expenses of receiving, storing, addressing and forwarding reports and printed documents, including the rental of rooms for same; for printing and furnishing the Legislative Manual and Clerk's Manual; for law and reference books and publications for the Senate and Assembly library, and committees of the Legislature and the Legislature; for legislative indices to Senate and Assembly bills, journals and documents; for extra clerical and stenographic services; for furniture, alteration and repairs of legislative rooms and for other contingent expenses of the Legislature, to be paid upon the certificate of the Clerk of the Senate or Assembly, respectively; also for any balance remaining unpaid of the various amounts heretofore certified by the Temporary President of the Senate and the chairman of the committee of the whole of the Senate of the session for nineteen hundred and ten, for the expenses and compensation of expert witnesses and of counsel employed during the investigation ordered by the resolution of the Senate adopted January twenty-fifth, nineteen hundred and ten, two hundred and twenty thousand dollars, or so much thereof as may be necessary. \$220,000.00 "

Section 21 of article 3 of the Constitution provides that no

money shall ever be paid out of the treasury of this State or any of its funds or any of the funds under its management except in pursuance of an appropriation by law * * * and every such law making a new appropriation or continuing or reviving an appropriation shall distinctly specify the sum appropriated and the object to which it is to be applied; and it shall not be sufficient for such law to refer to any other law to fix such sum.

The public and the Legislature have a constitutional right to know the object for which an appropriation is made and the amount of money which is to be applied to that object. Under this item as it stands the impossibility of ascertaining to what object this money is to be applied, or if not all to be applied to one object, the impossibility of ascertaining the sum to be applied to each object is apparent—it permits the money to be applied to one or more objects to the exclusion of the rest, or to be divided among them all.

What legislative committee have exceeded the appropriations made to them, what is the amount of their respective deficiencies and how much of the sum appropriated is to be applied to make good such deficiencies?

What balance remains unpaid of the various amounts heretofore certified by the Temporary President of the Senate and the chairman of the committee of the whole of the Senate for the session of nineteen hundred and ten, what was the purpose of these various expenditures and how much is to be applied toward these deficiencies?

What are the expenses and compensation of expert witnesses and of counsel employed during the investigation ordered by the resolution of the Senate, adopted January twenty-fifth, nineteen hundred and ten, and what amount is to be expended for this purpose?

What are the other contingent expenses of the Legislature, how much is to be applied to them and why are they not in the eighty thousand dollars appropriated for this purpose?

As I am unable to answer these questions and must veto the entire item or let it stand, the entire item is disallowed?

Page 17, under the head of Legislative:

“For deficiency for the compensation and mileage of members and officers of the Legislature, and for compensating the officers and employees of the Senate and Assembly, including persons employed under section twenty-four of the Legislative Law, whose compensation is fixed at a stated sum for the annual session of the Legislature, for services rendered at the annual session of nineteen hundred eleven subsequent to the first one hundred twenty calendar days thereof, but not to exceed a period of

seventy days, at a rate per diem for each such officer or employee which he would have received if the annual session had terminated at the end of one hundred twenty days, payable in the same manner as the regular compensation of such officer or employee is paid, the sum of one hundred fifty thousand dollars, or so much thereof as may be necessary. \$150,000.00 "

This item is disapproved for the reason that it violates the Constitution of the State of New York. Section 28 of article 3 of the Constitution provides that the Legislature shall not grant any extra compensation to any public officer, servant, agent or contractor. This provision in the bill in effect grants additional compensation to the officers and employees of the Senate and Assembly, whose compensation is fixed at a stated sum for the annual session of the Legislature. It also provides for the compensation and mileage of members and officers of the Legislature, whose compensation is not fixed. Inasmuch as it is impossible to sever these items of appropriation, the whole item is disapproved. Section 21 of article 3 of the Constitution provides that every law making an appropriation shall distinctly specify the sum appropriated and the object to which it is to be applied. The item comprising two distinct objects and one appropriation violates, also, this provision of the Constitution.

Page 19, under the head of Legislative:

" For Odell R. Blair, for the preparation of the index to the report of the joint committee of the Senate and Assembly, appointed to investigate telephone and telegraph companies, five hundred dollars, or so much thereof as may be necessary, to be paid on the audit of the Comptroller and the chairman and vice-chairman of said committee. \$500.00 "

It does not satisfactorily appear that this item has been audited and allowed according to law.

Page 35, under the head of Regulative; Health Department:

" For conducting, maintaining and transporting the traveling exhibits of tuberculosis for the education of the public and the giving of lectures and the distribution of circulars and pamphlets in connection therewith, ten thousand dollars, or so much thereof as may be necessary. \$10,000.00 "

This item is disapproved for the reason that in my opinion it will not accomplish the intended result.

Page 36, under the head of Regulative; Health Department:

" For expenses of constructing an experimental cold storage plant, salaries of bacteriologists and investigations into the effect of cold storage on foods, ten thousand dollars. \$10,000.00 "

This item is deemed inadvisable at the present time.

Page 38, under the head of Regulative; Department of Labor:
 "For the establishment of a laboratory in connection with the New York city office, three thousand five hundred dollars. \$3,500.00"
 In view of the increased appropriations for this department, I consider this item inadvisable.

Page 50, under the head of Educational; Alfred University:
 "For addition to building, new kilns, heating plant and other equipment, ten thousand dollars, or so much thereof as may be necessary. \$10,000.00"

This item is disapproved for the reason that it is impossible to ascertain the object to which the money is to be applied. (Section 21, article 3, Constitution.)

Page 51, under the head of Educational; Central New York Institution for Deaf Mutes at Rome:

"Cement walks, one thousand five hundred dollars, or so much thereof as may be necessary. \$1,500.00"

This is disapproved for the reason that it is unnecessary.

"Renewing floors and ceilings of dormitories, and storage room repairs in main building, one thousand one hundred dollars, or so much thereof as may be necessary. \$1,100.00"

The expense referred to in this item is deemed sufficiently covered by other items of appropriation.

Page 52, under the head of Agricultural; Department of Agriculture:

"For collection and maintenance of a food exhibit, one thousand dollars, or so much thereof as may be necessary. \$1,000.00"

This item is disapproved for the reason that it is inexpedient.

Page 54, under the head of Agricultural; Agricultural Experiment station, at Geneva:

"For expenses in investigating the condition of grape culture in Chautauqua county, seven thousand five hundred dollars, or so much thereof as may be necessary. \$7,500.00"

The funds available for this purpose render a further appropriation at this time unnecessary.

Page 57, under the head of Agricultural; Morrisville School of Agriculture:

"For heating or lighting plant, twenty-five thousand dollars, or so much thereof as may be necessary. \$25,000.00"

This item is disapproved because the object of the expenditure is uncertain and for the further reason that the amount is too large.

Page 58, under the head of Agricultural; State Fair Commission:

"For improvements in the State institutions and grange buildings, three thousand dollars, or so much thereof as may be necessary. \$3,000.00"

This item is disapproved for the reason that it is inexpedient at this time to make any further appropriations for the State Fair.

Page 68, under the head of Curative; State Commission in Lunacy:

"For the expenses of a campaign of education looking to the prevention of insanity, to be expended under the direction of the State Commission in Lunacy, two thousand five hundred dollars. \$2,500.00 "

This item is disapproved for the reason that I consider it inexpedient to commence a campaign of education at this time.

Page 74, under the head of Curative; Reception Hospital, New York city:

"One hundred fifty thousand dollars, appropriated for the purchase of a site for reception hospital, New York city, by chapters seven hundred and sixty, Laws of nineteen hundred and four; five hundred and seventy-eight, Laws of nineteen hundred and seven; four hundred and thirty-three, Laws of nineteen hundred and nine, is hereby reappropriated. (re \$150,000)"

In view of the increasing demand for our existing institutions, I deem it inadvisable and inexpedient at this time to undertake the construction of a new institution.

Page 76, under the head of Charitable; New York State Hospital for Tuberculosis, Raybrook:

"For a chapel building, work to be done pursuant to section forty-nine of article four of chapter fifty-seven of the Laws of nineteen hundred and nine, entitled 'An act relating to State charities, constituting chapter fifty-five of the Consolidated Laws,' seven thousand dollars. \$7,000.00 "

I consider it inadvisable to undertake this work at this time.

Page 90, under the head of Protective; Public Buildings:

"Fifteen hundred dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the treasury not otherwise appropriated, for improvements to electric wiring in the executive mansion, including the construction of transformer room and the placing of overhead feeder cables under ground. \$1,500.00 "

This is disapproved for the reason that it is unnecessary at this time.

Page 97, under the head of Protective; Niagara Reservation:

"For dredging loop pond, four thousand dollars, or so much thereof as may be necessary. \$4,000.00 "

This item is disapproved for the reason that it is unnecessary at this time.

Page 100, under the head of Protective; Bear Mountain.

“ For improving the land at the Bear Mountain property to make it available for park purposes, five hundred dollars, or so much thereof as may be necessary. \$500.00 ”

This item must yield to the more necessary expenses of government.

Page 102, under the head of Protective; Watkins Glen:

“ For concrete toolhouse, one thousand dollars, or so much thereof as may be necessary. \$1,000.00 ”

This item is disapproved for the reason that it is unnecessary.

“ For designs, plans and oversight of construction, one thousand dollars, or so much thereof as may be necessary. \$1,000.00 ”

I also consider this item unnecessary.

Page 103:

“ For paving in front of Watkins Glen State park, two thousand dollars, or so much thereof as may be necessary. \$2,000.00 ”

This item is disallowed for the reason that further appropriations for this reservation are not expedient.

Page 105, under the head of Protective; New York Monuments Commission:

“ For the New York monuments commission for transportation to and from Andersonville, Georgia, of the surviving veterans of the New York commands in the War of the Rebellion who were confined in the Confederate States military prison at Andersonville, Georgia, to be designated by and under the regulations of said commission, to attend the dedication of the New York State monument erected by the State in Andersonville, Georgia, national cemetery; and for the transportation and subsistence of the Governor and two members of his staff, Lieutenant-Governor, Speaker of the Assembly, members of the two finance committees of the Legislature, and this board of commissioners, an aggregate not exceeding forty-four persons, and other incidental expenses, thirty thousand dollars, or so much thereof as may be necessary, to be paid by the treasurer on the warrant of the Comptroller on vouchers approved by the commission.

\$30,000.00 ”

This item is disallowed for the reason that the funds in the treasury and our estimated income will not permit these expenditures, and for the further reason that if the other persons should all go, it would be possible under the provision to take but four of the surviving veterans.

Page 106, under the head of Protective:

“ For building a foundation and pedestal for the monument of Brevet-Major-General Newton Martin Curtis, three thousand dollars, or so much thereof as may be necessary, to be expended

under the supervision of the New York monuments commission. \$3,000.00 "

I consider that this item has been sufficiently covered under former appropriations.

" The commissioners appointed by and in pursuance to chapter three hundred and seventeen of the Laws of eighteen hundred and ninety-five, known as the New York monuments commission, are hereby authorized and directed to procure and erect on an appropriate site to be selected by said commissioners on the battlefield at Sackets Harbor, Jefferson county, New York, known as Fort Tompkins park, a suitable monument to commemorate the patriotic and gallant services of the officers, soldiers and sailors of the state of New York who took part in the battles at Sackets Harbor and vicinity during the war of eighteen hundred and twelve at an expense not to exceed five thousand dollars, and the said sum of five thousand dollars is hereby appropriated, the said amount to be paid by the State Treasurer on the warrant of the comptroller and the presentation of proper vouchers duly certified by the presiding officer of the New York monuments commission. \$5,000.00 "

While sincerely believing in commemorating the patriotism of the officers, soldiers and sailors of the State of New York by suitable monuments, in view of the extensive appropriations already made for this purpose and the expense of maintaining those already erected, I feel compelled at this time to disallow this item.

Page 109, under the head of Constructive; Department of Public Works:

" For opening the channel between Lakes Wanetta and Lamoka, Schuyler county, five thousand one hundred seventy dollars, or so much thereof as may be necessary. \$5,170.00 "

This item is disallowed for the reason that it is a local bill and it is unconstitutional to include an appropriation for a local purpose in the supply bill. The Constitution provides (section 16 of article 3) that a private or local bill shall not embrace more than one subject and that shall be embraced in the title. If this item is expressed in the title it is void, for the reason that it is embraced with other subjects. If not expressed in the title it is equally void.

Page 110, under the head of Constructive; Department of Public Works:

" For the purpose of removing obstructions from the outlets of Round lake and Ballston lake in the county of Saratoga, three thousand dollars, or so much thereof as may be necessary. \$3,000.00 "

This item is disallowed for the reason that I consider it an

appropriation for a local purpose which to be constitutional should be inserted, not in the supply bill but incorporated in a special bill.

Page 110:

“ For reconstructing the dam heretofore built by the State on the Salmon river at the outlet of Mountain View lake, town of Belmont, county of Franklin, five thousand dollars, or so much thereof as may be necessary. \$5,000.00 ”

I am not advised of the necessity of reconstructing this dam and therefore disallow this item.

Page 111:

“ For the improvement and removing of obstructions of Senix river and Aersconk creek, Suffolk county, five thousand dollars, or so much thereof as may be necessary. \$5,000.00 ”

This item is disallowed for the reason that it should be incorporated in a special bill.

Page 111, under the head of Constructive; Department of Highways:

“ For repairs to the highway between Sevay and Cranberry lake in the county of Saint Lawrence, five thousand dollars, or so much thereof as may be necessary. \$5,000.00 ”

I consider that this item is improper in the supply bill and should be incorporated in a special bill, it being an appropriation for a local purpose.

Page 112:

“ For repairs and improvements to the State road between the village of South Colton and Piercefield in the county of Saint Lawrence, thirty thousand dollars, or so much thereof as may be necessary. \$30,000.00 ”

In my opinion it is unconstitutional to incorporate in the supply bill an item for a local purpose. For this reason this item is disallowed.

Page 112, under the head of Constructive; Toll bridges:

“ For the Comptroller for the State's one-half of the expense incurred in the condemnation and acquirement of toll bridges, pursuant to and to be paid as provided by chapter one hundred and forty-six of the Laws of nineteen hundred and nine, and of any act or acts amendatory thereof and supplemental thereto, fifty thousand dollars, or so much thereof as may be necessary. \$50,000.00 ”

This item is disallowed for the reason that it is unnecessary.

Page 120, under the head of General:

“ To Harry Kopp, for personal expenses and counsel fees incurred in the contest by Sol Eisler for the seat of the Sixth Assembly District of the county of New York in nineteen hundred and

eleven, the sum of one thousand five hundred dollars, to be paid upon the approval of the chairman of the committee on privileges and elections. \$1,500.00 "

This item is disallowed for the reason that it should be the subject of audit, before it is paid. The Constitution, section 19, article 3, provides that the Legislature shall neither audit nor allow any private claim or account against the State but may appropriate money to pay such claim as shall have been audited and allowed according to law.

Page 120:

" To Robert B. Waters, for personal expenses and counsel fees incurred in the contest by James Kenny for the seat of the Third Assembly District of the county of Albany in nineteen hundred and eleven the sum of one thousand five hundred dollars, to be paid upon the approval of the chairman of the committee on privileges and elections. \$1,500.00 "

This item is disallowed for the reason that it has not been audited nor allowed according to law.

Page 121:

" To Harold Spielberg, for personal expenses and counsel fees incurred in the contest by Jacob Kostman for the seat of the Tenth Assembly District of the county of New York in nineteen hundred and eleven, the sum of one thousand five hundred dollars, to be paid upon the approval of the chairman of the committee on privileges and elections. \$1,500.00 "

This item is disallowed for the reason that it has not been audited or allowed according to law.

Page 121:

" For reimbursing the Bethany Methodist Episcopal church of the city of Watertown, New York, for the value of certain real property of the estate of Henry Dixon, deceased, which escheated to the State of New York, and was sold at public auction pursuant to the provisions of chapter one hundred and twenty-one of the Laws of nineteen hundred, entitled 'An act to provide for winding up the estate of Henry Dixon, deceased, including real property escheated to the State,' and which property, it has since been determined, belonged to the said Bethany Methodist Episcopal church, and for costs and disbursements incurred by said church in certain litigation in reference to said property, the sum of seven thousand dollars, or so much thereof as may be necessary, to be paid to the said Bethany Methodist Episcopal church upon the certificate of the Attorney-General. \$7,000.00 "

This item is disallowed for the reason that the relief sought should be obtained either by special bill or by an appeal to the Court of Claims upon a bill authorizing it to audit and determine the claim.

Page 122:

" To Hobart Krum, Daniel D. Frisbie, Dow Beekman, Charles W. Vroman, Wellington E. Bassler, J. Edward Young and Henry H. Kingsley, for the purpose of suitably marking the sites of revolutionary forts in the valley of Schoharie, in the county of Schoharie, five thousand dollars, or so much thereof as may be necessary. \$5,000.00 "

This item is disallowed for the reason that I consider it inadvisable at this time.

Page 123:

" To Harry S. Patten, for services rendered in defending the suit of the Malone, Fort Covington and Hopkins Point Railroad Company, plaintiffs, against The Spuyten Duyvil Construction Company, Frederick Skene, ex-State Engineer and others, defendants, tried in Malone, November seventeenth, eighteenth and nineteenth, nineteen hundred and nine, decision in favor of defendants handed down December fifteenth, nineteen hundred and nine, argued in Appellate Division, third department, January ninth, nineteen hundred and eleven, decision handed down March eighth, nineteen hundred and eleven, unanimously affirming judgment, three thousand five hundred dollars. \$3,500.00 "

This item is disallowed because the claim has not been audited or allowed according to law.

Page 123:

" To reimburse Robert Lee Morrell, as chairman of the automobile manufacturers' committee for funds deposited with the State Engineer and Surveyor on or about the twentieth day of April, nineteen hundred and eight, and for which judgment was rendered in the Supreme Court, Appellate Division, first judicial department, on the eighteenth day of November, nineteen hundred and nine, five thousand dollars, or so much thereof as may be necessary. \$5,000.00 "

This item is disallowed for the reason that I am advised that the State is under no liability to pay it.

Page 125:

" For the repair of bridge at Stillwater, Herkimer county, the sum of fifteen hundred dollars, or so much thereof as may be necessary. The work to be done by contract on plans to be prepared by the State Engineer and Surveyor and approved by the Canal Board. \$1,500.00 "

This item is disallowed for the reason that I consider it should be appropriated by a special bill, rather than by an item in the supply bill.

Page 125:

"For the construction of a concrete wall along Moyer creek, in the village of Frankfort, to take the place of present wooden docking abutting the property of A. S. Seaman and the property of the Baker and Harter estates, six thousand four hundred dollars, or so much thereof as may be necessary, the work to be done under the supervision of the Superintendent of Public Works. \$6,400.00 "

It does not appear that there is any obligation on the part of the State to make this improvement and further it is an appropriation which does not appear to be necessary.

Page 125:

"For the construction of a bridge from Moyer creek at West Main street in the village of Frankfort, with necessary sidewalks and approaches, ten thousand dollars, or so much thereof as may be necessary, the work to be done by contract on plans to be prepared by the State Engineer and Surveyor and approved by the Canal Board. \$10,000.00 "

This item is disallowed for the reason that I consider it for a local purpose and inadvisable at this time.

Page 126:

"For Edward N. Trump, for lands situated in the town of Camillus, Onondaga county, appropriated for the use of the enlarged Erie canal, pursuant to chapter three hundred and thirty-eight of the Laws of eighteen hundred and ninety-four the sum of six thousand five hundred dollars. \$6,500.00 "

It does not satisfactorily appear that the State is under any obligation to pay this claim and therefore I disapprove the item.

Page 56, under the head Agricultural; Cornell University:

"Greenhouse, twenty thousand dollars, or so much thereof as may be necessary. \$20,000.00 "

This item is disallowed for the reason that I consider any further appropriation for this university as unnecessary at this time.

JOHN A. DIX.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 28, 1911.*

Memorandum filed with Assembly bill (No. 1507, Senate Reprint No. 1899), entitled "An act making appropriation for construction, additions and improvements at the State hospitals for the insane."

Statement of items of appropriations of money contained in said bill which are severally objected to, to wit:

Page 3, under the head of Kings Park State Hospital:

For elevators for cottages for chronic patients, thirteen thousand two hundred dollars (\$13,200).

This item is disallowed for the reason that it is unnecessary.

Page 4, under the head of Mohansic State Hospital:

For beginning building operations under the authority of chapter five hundred twenty-nine of the Laws of nineteen hundred and ten, including railroad spur and right of way, two hundred thirty thousand dollars (\$230,000).

This item is disallowed for the reason that I do not consider that the finances of the State, in view of the largely increased demands upon the treasury for institutional and educational purposes, as well as the purposes of government, will permit the commencement of building operations which will entail a great expenditure of money.

JOHN A. DIX.

On motion of Mr. A. E. Smith, said message was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 28, 1911.*

Memorandum filed with Assembly bill (No. 1878, Senate Reprint No. 2162), entitled "An act making appropriations for Letchworth Village."

Statement of items of appropriations of money contained in said bill which are severally objected to, to wit:

Page 2:

5. For additional farm buildings, ten thousand dollars (\$10,000).

6. For a laundry building and the equipment necessary at this time, forty-five thousand dollars (\$45,000).

7. For a bakery, storehouse, and cold storage building, forty-five thousand dollars (\$45,000).

9. For a bridge and conduit, ten thousand dollars (\$10,000).

Each of the foregoing items is disallowed for the reason that I deem it advisable to finish the completion of the power and heating plant and its equipment before continuing the general construction of the institution. Without lighting, heating and power facilities, the other constructions would be of little use, and when they are completed the other structures can be quickly and readily erected.

JOHN A. DIX.

On motion of Mr. A. E. Smith, said message was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 28, 1911.*

Memorandum filed with Assembly bill (No. 1877, Senate Reprint No. 2157), entitled "An act making an appropriation for the New York Training School for Boys."

Statement of items of appropriations of money contained in said bill which are severally objected to, to wit:

Page 1.

2. For storehouse, bakery and cold storage building, twenty thousand dollars (\$20,000).

3. For laundry building, fifteen thousand dollars (\$15,000).

Page 2.

4. For alterations to existing buildings, eight thousand dollars (\$8,000).

Each of the foregoing items is disallowed for the reason that I consider it inadvisable at this time to make additional appropriations for this institution. Upon the completion of the railroad spur it will be less expensive to undertake the construction work. The alterations to existing buildings I consider can be accomplished by the moneys appropriated.

JOHN A. DIX.

On motion of Mr. A. E. Smith, said message was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 28, 1911.*

Memorandum filed with Assembly bill (No. 2104), entitled "An act making appropriation for construction, repairs, renewals and betterments for the several State prisons, the Matteawan State Hospital for Insane Criminals and the Dannemora State Hospital for Convicts."

Statement of items of appropriations of money contained in said bill which are severally objected to, to wit:

Page 3, under the head of Great Meadow Prison:

"For south extension to cell hall, four hundred and fifty thousand dollars (\$450,000).

This item is disallowed for the reason that I consider it inadvisable at this time, in view of the needs of institutions already existing, to appropriate further sums for work involving new construction.

“For the construction, equipment and furnishing of the cage connecting corridors, laundry, bath house, mess hall, kitchen, bakery, storehouse, power house and punishment prison, and for permanent sewage disposal system, one hundred and fifty thousand dollars (\$150,000).”

In view of the funds in the treasury and the estimated revenues for the year, and the demands for the proper repair and equipment of institutions already completed, I consider it inadvisable at this time to make an appropriation in addition to the unexpended balance of the former appropriation for the above purposes. This item is therefore disapproved.

“For additional power house equipment, enlarging sewage disposal plant, and other expenses incidental to the opening of the new institution, twenty-five thousand dollars (\$25,000).”

In view of the fact that this appropriation is dependent upon a former appropriation which has been disapproved, this item is disallowed.

JOHN A. DIX.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 28, 1911.*

Memorandum filed with Assembly bill (No. 1350), entitled “An act making appropriations for the State institutions reporting to the Fiscal Supervisor of State Charities.”

Statement of items of appropriations of money contained in said bill which are severally objected to, to wit:

Page 1, under the head of Western House of Refuge for Women, Albion:

For purchase of a farm fifteen thousand dollars, (\$15,000).

For disciplinary building, fifteen thousand dollars, (\$15,000).

Page 2, under the head of New York House of Refuge, Randall's Island:

For repairs and equipment, seven thousand five hundred dollars (\$7,500).

Under the head of New York State Hospital for the Treatment of Incipient Pulmonary Tuberculosis, Ray Brook:

For storehouse, ten thousand dollars, (\$10,000).

For piggery, two thousand dollars, (\$2,000).

For enlarging toilet sections in male ward, five thousand dollars, (\$5,000).

For grading and constructing walks about the grounds, three thousand dollars, (\$3,000).

Under the head of Rome State Custodial Asylum, Rome:

For tuberculosis hospital, fifty thousand dollars (\$50,000).

For fireproofing building "E" and stairs in building "D", fifteen thousand dollars (\$15,000).

Page 2, under the head of Craig Colony for Epileptics, Sonyea:

For west wing to hospital, thirty thousand dollars (\$30,000).

For general assembly hall, fifty thousand dollars, (\$50,000).

Page 3:

For sun rooms at Hepatica, Iris, Nasturtium, Orchid, eight hundred and fifty dollars, (\$850).

Under the head of New York State School for the Blind, Batavia:

For a new stairway approach to front of gymnasium, six hundred dollars, (\$600).

For cement walks, five hundred dollars, (\$500).

Under the head of New York State Soldiers and Sailors' Home, Bath:

For new cornhouse, three hundred dollars, (\$300).

For machinery for carpenter shop, five hundred dollars, (\$500).

For painting, four thousand dollars, (\$4,000).

Page 4:

For one thirty-five kilowatt single phase one hundred volt motor, five thousand dollars, (\$5,000).

For addition to piggery, one thousand five hundred dollars, (\$1,500).

For duct to boiler-house to police quarters, canteen, hosehouse and annex to barracks "C", five thousand dollars, (\$5,000).

For chemical fire engine (forty-five gallons), three hundred dollars, (\$300).

For cement walks, five hundred dollars, (\$500).

Under the head of New York State Reformatory for Women, Bedford:

For cottage for inmates and outside work for the same, including grading, steam connections, et cetera, thirty-five thousand dollars, (\$35,000).

For hospital building, forty thousand dollars, (\$40,000).

Page 4, under the head of New York State Reformatory for Women, Bedford:

For new conduit, power-house to first manhole, three thousand four hundred dollars, (\$3,400).

Page 5:

For steam conduits and piping, and outside connections for hospital, thirteen thousand dollars, (\$13,000).

For removal of imperfect gutters, on ten buildings, and substituting concrete surface gutters; for replacing unsanitary plumbing in reception-house; for painting exterior wood work of all buildings, and for other extraordinary repairs, two thousand five hundred dollars, (\$2,500).

For stocking farm, et cetera, five thousand dollars, (\$5,000).

Under the head of New York State Reformatory, Elmira:

For repairs and improvements and extensions to farm buildings, fifteen thousand dollars, (\$15,000).

Under the head of New York State Training School for Girls, Hudson:

For hospital, thirty thousand dollars, (\$30,000).

For porch on back of Dix cottage, eight hundred dollars, (\$800).

Page 6:

For repairs to the guardhouse, one thousand five hundred dollars, (\$1,500).

For outside connections for hospital, twelve thousand dollars, (\$12,000).

For cold storage plant for meats and fruits in the storehouse, one thousand dollars, (\$1,000).

For fruit trees and berry bushes for slopes, five hundred dollars, (\$500).

For increasing availability of central heating plant, six thousand dollars, (\$6,000).

For locking device to replace individual locks to inmates' rooms, for use at night, one thousand two hundred and fifty dollars, (\$1,250).

Page 6, under the head of State Agricultural and Industrial School, Industry:

For addition to grist mill to store grain, four thousand dollars, (\$4,000).

For instruction in scientific agriculture, for an exhibit of the school at the State fair, Syracuse, and for tent for local fair exhibit, one thousand dollars, (\$1,000).

Page 7, under the head of Syracuse State Institution for Feeble-Minded Children, Syracuse:

For electric light plant, eight thousand dollars (\$8,000).

Under the head of New York State Hospital for the Care of Crippled and Deformed Children, West Haverstraw:

For new hospital buildings, one hundred thousand dollars, (\$100,000).

For railroad switch and filling in swamp, three thousand dollars, (\$3,000).

Page 8, under the head of Eastern New York Reformatory, Napanoch:

For hospital building, fifty thousand dollars, (\$50,000).

For administration building, fifty thousand dollars, (\$50,000).

Under the head of New York State Custodial Asylum for Feeble-Minded Women, Newark:

For hospital and infirmary, seventy-five thousand dollars, (\$75,000).

For outside connections for new buildings, thirteen thousand dollars, (\$13,000).

Page 9, under the head of New York State Woman's Relief Corps Home, Oxford:

For addition to new hospital, twenty-five thousand dollars, (\$25,000).

Each of the foregoing items is disapproved and disallowed for the reason that the funds in the treasury and the estimated revenues for the year will not permit further expenditures for these institutions. I deem it inadvisable to enter upon the construction of further improvements and new buildings until the existing institutions are placed in repair and the cost of putting them in such condition will not permit, at this time, any additional expenditure.

JOHN A. DIX.

On motion of Mr. A. E. Smith, said message together with said bill was ordered laid upon the table.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 28, 1911.*

Memorandum filed with Assembly Bill (No. 2329, Senate Reprint No. 2276), entitled "An act making appropriations for the support of government."

Statement of items of appropriations of money contained in said bill which are severally objected to, to wit:

Page 40, under the head of Regulative:

STATE DEPARTMENT OF EXCISE.

For temporary services, four thousand dollars, or so much thereof as may be necessary. \$4,000.00

For furniture, books, blanks, binding, printing, stationery, postage, transportation of letters and official documents and other

matter sent by express or freight, including boxes or covering for same, and other necessary and incidental office expenses, including suboffices, twelve thousand five hundred dollars, or so much thereof as may be necessary. \$12,500.00

Page 41:

For expense of enumeration and determining amount of excise taxation in several localities, including supervision, two thousand six hundred dollars, or so much thereof as may be necessary. \$2,600.00

Each of the foregoing items is disallowed for the reason that it has been adequately provided for by other appropriations for this department.

Page 86, under the head of Agriculture:

DEPARTMENT OF AGRICULTURE.

For litigation, two thousand two hundred dollars or so much thereof as may be necessary. \$2,200.00

It does not appear that this item is necessary, and therefore it is disallowed.

For railroad transportation of official delegates, appointed by the Governor, to attend agricultural conventions in other States, one thousand five hundred dollars, or so much thereof as may be necessary. \$1,500.00

This item is disapproved for the reason that I do not consider it advisable, at this time, to increase the appropriations already made for this department.

Page 94, under the head of Agricultural:

STATE FAIR COMMISSION.

Maintenance and improvement of grounds and buildings and general repairs, three thousand dollars, or so much thereof as may be necessary. \$3,000.00

This item is disallowed for the reason that I consider it has been provided for by former appropriations.

(Signed) JOHN A. DIX.

On motion of Mr. A. E. Smith, said message together with said bill was ordered laid upon the table.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Whereas, The reapportionment of the congressional districts of the State by this Legislature is required by law; therefore, be it

Resolved, That a special committee of seven be appointed by the Speaker to be know as "The Committee on Congressional Ap-

portionment," to which all petitions, papers and bills shall be referred relating to the revision of the State into congressional districts; and that such committee report to the Assembly from time to time what legislation should be had or measures taken to divide the State into congressional districts.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Pursuant to concurrent resolution, Mr. Speaker announced the appointment of the following committee on the part of the Assembly to investigate the conservation of the State's water power resources.

Messrs. Hoey of New York, Donnelly of Kings, Patrie of Greene, Gregg of Lewis and Merritt of St. Lawrence.

Pursuant to concurrent resolution, Mr. Speaker announced the appointment of the following committee on the part of the Assembly to investigate conditions under which manufacturing is carried on in cities of the first and second class.

Messrs. A. E. Smith of New York, Jackson of Erie and C. W. Phillips of Monroe.

A communication was received July 25th from Hon. William J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2220, Senate Reprint No. 2070, Int. No. 1791), entitled "An act to amend chapter eight hundred and forty-six of the Laws of eighteen hundred and sixty-seven known as 'An act to incorporate the New York Board of Fire Underwriters,'" with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received July 25th from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2560, Int. No. 744), entitled "An act to amend the Greater New York charter, so as to provide for a relief and pension fund for the benefit of the members of the clerical and uniformed forces of the department of street cleaning," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received July 25th from William J.

Gaynor, mayor of the city of New York, returning Assembly bill (No. 2511, Int. No. 524), entitled "An act to amend the Education Law, in relation to court libraries," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received July 26th from Hon. William J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2479, Senate Reprint No. 1989, Int. No. 1585), entitled "An act to create a bureau of fire prevention and provide for additional protection from fire in the city of New York," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received July 26th from Hon. William J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 1042, Senate Reprint No. 2077, Int. No. 938), entitled "An act to provide for the investigation, audit and payment by the city of New York of the claim of Joseph Fiesel, junior, against said city, for plumbing work and material furnished the board of education of Long Island City during the year eighteen hundred and ninety-one," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received July 26th from Hon. William J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2502, Int. No. 536), entitled "An act to amend the Greater New York charter, in relation to promotions in the police and fire departments," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received July 26th from Hon. William J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2480, Senate Reprint No. 2141, Int. No. 712), entitled "An act to authorize the board of assessors of the city of New York to determine and allow the damage sustained by owners of real property in the borough of Manhattan, city of New York, by reason of the construction of lateral driveways to connect the grade of One Hundred and Forty-fifth street with the grade of

Riverside drive," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received July 26th from Hon. William J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 1495, Int. No. 1262), entitled "An act in relation to the retirement of justices of the municipal court of the city of New York, their appointment as official referee and their compensation as such," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received July 26th from Hon. William J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2384, Int. No. 1344), entitled "An act to amend the Greater New York charter, in relation to the making of eligible lists of candidates for appointment on the teaching staff," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received July 26th from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2547, Int. No. 1325), entitled "An act to repeal chapter seven hundred and sixty-five of the Laws of nineteen hundred, entitled 'An act providing for the opening, laying out and improving of Remsen avenue, in the borough of Brooklyn, in the city of New York,'" with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received July 29th from Hon. L. P. Fuhrmann, mayor of the city of Buffalo, returning Assembly bill (No. 1729, Int. No. 1445), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relating to the destruction of noxious weeds in said city," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received July 29th from Hon. L. P.

Fuhrmann, mayor of the city of Buffalo, returning Assembly bill (No. 361, Int. No. 354), entitled "An act conferring upon a former officer of the Superior Court of Buffalo the benefits of the police pension fund in the city of Buffalo," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received July 29th from Hon. James T. Lennon, mayor of the city of Yonkers, also Edwin W. Fiske, mayor of the city of Mount Vernon, returning Assembly bill (No. 2562, Int. No. 538), entitled "An act to amend chapter six hundred and forty-six of the Laws of nineteen hundred and five, entitled 'An act to provide for the construction and maintenance of a sanitary trunk sewer and a sanitary outlet sewer in the county of Westchester and to provide means for the payment thereof,' generally," with a message that said mayors, and the common councils of said cities, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received July 31st from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2457, Senate Reprint No. 2098, Int. No. 1565), entitled "An act to amend the Greater New York charter, in relation to the better prevention of fires," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received August 2d from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 1647, Int. No. 8), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to adjournment after return of jury," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received August 2d from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill

(No. 2587, Int. No. 1514), entitled "An act to amend section thirty-seven of chapter four of the Laws of eighteen hundred and ninety-one, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants,' as heretofore amended, with reference to assessment of cost and expense necessary to be incurred for the construction of a rapid transit railroad and for property to be acquired for the construction and operation thereof, upon property benefited thereby," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received August 2d from Hon Edward Schoeneck, mayor of the city of Syracuse, returning Assembly bill (No. 2062, Senate Reprint No. 2185, Int. No. 1674), entitled "An act to amend chapter six hundred and eighty-five of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the department of public safety of the city of Syracuse,'" with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received August 2d from Hon. M. D. Hanson, mayor of the city of Cohoes, returning Assembly bill (No. 2177, Int. No. 1768), entitled "An act to legalize, ratify and confirm resolutions, acts and proceedings of the common council of the city of Cohoes, in relation to the pavement of Vine street, and the contract entered into therefor, and providing for a special assessment to pay the expense thereof," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received August 2d from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2063, Int. No. 1675), entitled "An act to amend the Greater New York charter, in relation to conferring power upon the board of estimate and apportionment to acquire lands in certain parts of the city of New York, for playgrounds and to provide for the improvement thereof," with a message that said mayor, after

a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received August 2d from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2248, Senate Reprint No. 2014, Int. No. 1815), entitled "An act to authorize the retirement of George A. Pattison, a patrolman of the New York city police force, upon a pension payable from the police pension fund of said city," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received August 3d from Hon. W. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 1706, Int. No. 1430), entitled "An act to amend chapter five hundred and thirty-seven of the Laws of eighteen hundred and ninety-three, entitled 'An act providing for ascertaining and paying the amount of damages to lands and buildings suffered by reason of change of grade of streets or avenues, made pursuant to chapter seven hundred and twenty-one of the Laws of eighteen hundred and eighty-seven, providing for the depression of railroad tracks in the twenty-third and twenty-fourth wards in the city of New York or otherwise,' as amended by chapter five hundred and sixty-seven of the Laws of eighteen hundred and ninety-four, entitled 'An act to amend chapter five hundred and thirty-seven of the Laws of eighteen hundred and ninety-three, entitled "An act providing for ascertaining and paying the amount of damages to lands and buildings suffered by reason of change of grade of streets or avenues, made pursuant to chapter seven hundred and eighty-seven, providing for the depression of railroad tracks in the twenty-third and twenty-fourth wards in the city of New York or otherwise,"' relative to damages caused by change of grade in the borough of the Bronx (formerly the twenty-third and twenty-fourth wards) of the city of New York, by permitting the filing of additional claims, under the provisions of said chapter five hundred and thirty-seven of the Laws of eighteen hundred and ninety-four, and to extend the time of filing such claims, and for the appointment of commissioners of appraisal," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received August 3d from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2038, Int. No. 251), entitled "An act to amend the Greater New York charter, relating to the list of names of suspended employees," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received August 3d from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 1936, Int. No. 1597), entitled "An act to amend chapter one hundred and sixty-four of the Laws of nineteen hundred and seven, entitled 'An act to incorporate "The Queens Borough Public Library," and to permit libraries in the borough of Queens of the City of New York to convey their property thereto, and limiting and defining the powers thereof,' in relation to terms and appointment of trustees of such corporation," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received August 3d from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 1143, Int. No. 1017), entitled "An act authorizing the board of assessors of the city of New York to determine and allow damage sustained by owners of real property in the city of New York by reason of the change of grade on any street in said city caused by the improvement of the Queens borough bridge," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received August 3d from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 1921, Senate Reprint No. 2221, Int. No. 1582), entitled "An act to amend the Greater New York charter, in relation to clerks and assistant clerks of the municipal court, in the boroughs of Queens and Richmond, in the city of New York," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received August 3d from Hon. William J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 803, Int. No. 733), entitled "An act to amend the Greater

New York charter, in relation to an additional justice of the municipal court in the third district of the borough of Brooklyn," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received August 3d from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2336, Int. No. 1886), entitled "An act to amend chapter four of the Laws of eighteen hundred and ninety-one, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants,' as amended generally by chapter four hundred and ninety-eight of the Laws of nineteen hundred and nine, respecting changes of grade," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received August 3d from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2037, Int. No. 1192), entitled "An act to amend the Greater New York charter, in relation to furnishing free spectacles or eyeglasses to school children," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received August 3d from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 1859, Int. No. 929), entitled "An act providing for the sale of the State arsenal lands and building in the city of New York and the application of the proceeds of such sale to a new State arsenal lands and buildings, new buildings, repairs to State armories and for other purposes relative to the same," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received August 3d from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 2444, Int. No. 1950), entitled "An act authorizing the board of aldermen of the city of New York to audit, allow and certify to the comptroller for payment, as charges against said city, the reasonable expenses for medical and surgical treatment and maintenance of the mayor or other officer or employee of the

city of New York for gun shot wounds or personal injuries, and authorizing the comptroller to audit and pay such charges," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received August 3d from Hon Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 1013, Int. No. 914), entitled "An act to authorize the board of estimate and apportionment of the city of New York to hear, audit and determine the alleged claim of Jacob Bausch for moneys expended by him in employing a telephone operator for the board of coroners of the borough of Manhattan, from January first, nineteen hundred and nine, to December twenty-ninth, nineteen hundred and nine," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received August 3d from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 1060, Senate Reprint No. 2043, Int. No. 706), entitled "An act to amend the Greater New York charter, in relation to pensions to members of the police force," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received August 4th from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 1895, Senate Reprint No. 2218, Int. No. 1569), entitled "An act to amend the Greater New York charter, in relation to the jurisdiction of commissioner of parks of the boroughs of Brooklyn and Queens over certain streets," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received August 4th from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 1424, Senate Reprint No. 2220, Int. No. 1208), entitled "An act to amend the Greater New York charter, in relation to the registration of births not previously recorded," with

a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. A. E. Smith, the House adjourned.

THURSDAY, SEPTEMBER 7, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Chas. H. Johnson.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That when the Legislature adjourns this day it be to meet again on Monday, September 18th, at eight-thirty o'clock P. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Whereas, Hon. Luke McHenry, Clerk of the Assembly of the State of New York, is unable because of serious illness to perform the duties of his office or to be present at the Capitol.

Resolved, That George R. Van Namee, the assistant clerk of the Assembly, be and he hereby is designated acting clerk of the Assembly with full power to perform all duties of said office during such time as the said Clerk is unable to attend to the duties of the office.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Ahern
Allen

DeLano
Donnelly

Hart
Hearn

Miller
Monczynski

Spielberg
Stivers

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Blauvelt | Donovan | Herrick J J | Mork | Sweet |
| Boylan | Drummond | Heyman | Myers | Talmage |
| Brace | Ebbetts | Hinman | Neupert | Terry |
| Brennan | Evans | Hoey | Nolan | Thorn |
| Brereton | Farrell | Hoff | Oliver | Trombly |
| Bridenbecker | Fay | Hoyt | O'Neill J J | Turley |
| Brown | Filley | Huber | Pappert | Walker |
| Bryant | Fitzpatrick | Jackson | Parker A | Ward |
| Bush | Foley | Jones | Parker J S | Waring |
| Butler | Geatons | Kennedy | Patrie | Washburn |
| Carew | Gerhardt | Keys | Phillips C W | Waters F A |
| Caughlan | Goldberg | Lansing | Pierce | Waters R B |
| Cheney | Goodman | LaReau | Saunders | Weil |
| Coffey | Goodwin | Macdonald | Schifferdecker | Wende |
| Collin | Gould | Manley | Seeley | Wilson |
| Connell | Graubard | Martin | Shannon | Winters |
| Constantine | Gregg | McCue | Sheide | Yale |
| Cuvillier | Gurnett | McElligott | Shepardson | Yeomans |
| Dawson | Hackett | McKeon | Shlivek | Young |
| Day | Hammond | Merritt | Smith A E | Zorn |

Mr. Speaker announced the following as members of the committee of congressional apportionment: A. E. Smith of New York, Mr. Bush of Chemung, Mr. Donnelly of Kings, Mr. Goldberg of New York, Mr. Neupert of Erie, Mr. Hammond of Onondaga, Mr. J. S. Parker of Washington.

The Senate returned the concurrent resolution providing for a recess until Monday, September 18th, with a message that they have concurred in the passage of the same without amendment.

On motion of Mr. A. E. Smith, the House adjourned until Monday, September 18th, at 8:30 o'clock P. M.

MONDAY, SEPTEMBER 18, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Creighton R. Storey.

On motion of Mr. A. E. Smith, the reading of the journal of Thursday, September 7th, was dispensed with and the same was approved.

Mr. Foley offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of the bill (No. 2596, Int. No. 1261), entitled "An act constituting the New York city charter."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. Foley moved to amend as follows:

PAGE 1

Line — in title, strike out "New York city" before period insert "of the city of New York". Line 1, strike out "New York" before period, insert "of the city of New York". Line 11, strike out "44", insert "43".

PAGE 2

Line 2, strike out "Legislative department" insert "Board of aldermen". Line 7, change "134" to "135". Line 9, change "129" to "158". Line 12, strike out "Department of the executive" insert "The mayor"; change "196" to "197". Line 14, change "231" to "226". Line 17, change "262" to "258". Line 18, change "279" to "280". Line 22, change "308" to "309".

PAGE 3.

Change "435" to "434". Line 4, change "476" to "474". Line 12, change "534" to "535". Line 14, change "567" to "566". Line 21, after "Gas" strike out "and", insert "," after "Electricity" insert ", steam and pneumatic power"; change "622" to "623".

PAGE 4

Line 4, change "693" to "695". Line 7, strike out "fire". Line 15, change "763" to "764". Line 22, strike out "the". Line 23, change "816" to "818". Line 25, change "829" to "828"; strike out lines 26 and 27.

PAGE 5

Line 1, change "XX" to "XIX". Line 4, change "860-871" to "840-851". Line 5, change "880-882" to "865-867". Line 6, change "XXI" to "XX". Line 7, change "890-901" to "880-890". Line 8, change "XXII" to "XXI". Line 10, change "910-917" to "905-912". Line 11, change "925-931" to "920-926". Line 12, change "XXIII" to "XXII". Line 13, strike out "Dock Department." insert "Department of docks and ferries." Between lines 15 and 16 insert "3. Ferries (Sections 980-984)". Line 17 strike out. Line 18, change "XXV" to "XXIII". Line 20, change "XXVI" to "XXIV". Line 21, change "1018" to "1017". Line 22, change "XXVII" to "XXV". Line 26, change "1049" to "1050".

PAGE 6.

Line 1, change "XXVIII" to "XXVI". Line 3, change "XXIX" to "XXVII". Line 5, change "XXX" to "XXVIII". Line 7, change "XXXI" to "XXIX". Line 9, change "XXXII" to "XXX". Line 13, change "XXXIV" to "XXXII". Line 10, change "XXXIII" to "XXXII". Line 13, change "XXXIV" to "XXXI". Line 15, change "XXXV" to "XXXIII". Between lines 17 and 18 insert "2. Bureau of buildings (§§ 1145-1158)." Line 18, change "1150-1159" to "1145-1158". Line 19, change "XXXVI" to "XXXIV". Line 21, change "1174" to "1173". Line 22, after "powers" strike out "of local boards" and insert "and procedure" change "1181" to "1185". Strike out lines 23 and 24. Line 25, change "4" to "3".

PAGE 7

Line 1, change "5" to "4". Line 2, change "1210" to "1220". Line 3, change "XXXVII" to "XXXV". Line 4, change "1243" to "1244". Line 5, change "XXXVIII" to "XXXVI". Line 8, change "1262" to "1260". Line 10, change "XXXIX" to "XXXVII". Line 13, change "1291" to "1294". Line 15, change "1332" to "1329". Line 20, change "XL" to "XXXVII". Line 23, change "1419" to "1418". Line 24, change "XLI" to "XXXIX". Line 25, change "1443" to "1449".

PAGE 8

Line 12, strike out "new," insert "Charter of the City of New York." Strike out line 13. Line 14, strike out "whenever," insert "when."

PAGE 9

Line 1, strike out "any," insert "a." Line 2, after "thereof" insert "each person who is;" strike out first "each," insert "a;" after "department" insert "or member of a board or commission;" strike out "and;" after "deputy" insert "and each secretary whose appointment is required by this act;" strike out "of a head." Line 3, strike out "of a department;" after "bureau" insert "provided for in this act;" strike out rest of line. Line 4, strike out "or commission," insert "the;" strike out "and deputy commissioner." Line 7, strike out first comma, insert "and;" strike out second comma and rest of line. Line 8, strike out to ";" before "supervisor," insert "the." Line 9, strike out "and his deputy," after "clerk;" strike out rest of line. Line 10, strike out "deputies;" after ";" insert "each

superintendent of buildings;" strike out "each dock master." Line 11, after ";" strike out rest of line. Line 12, strike out to "and;" strike out "any," and insert "each." Line 13, strike out "ordinance or." Line 14, after "statute," insert "or ordinance or by the board of estimate." Line 22, strike out "every," insert "each;" after "person," insert "in the service of the city or a county." Line 23, strike out second comma, insert ";" . Strike out line 24.

PAGE 10

Line 6, strike out "so called;" strike out "being." Strike out line 7. Line 8, strike out "and supplemental". Line 11, after "fluid" insert ".". Line 12, strike out "franchise, as herein defined,"; strike out "a revocable privilege, or." Line 13, strike out "be deemed to." Line 14, after "to," insert "operate." After line 16, insert "12. General improvement" means an improvement other than a local improvement. Line 17, change "12" to "13" ;" before ";" insert "and the board of aldermen." Line 18, change "13" to "14," Line 19, change "14" to "15." Line 20, change "15" to "16." Line 24, change "16" to "17."

PAGE 11

Line 1, change "whenever" to "when;" change "17" to "18." Line 3, change "18" to "19." Line 4, change "19" to "20." Line 6, change "20" to "21." Line 9, change "21" to "22." Between lines 12 and 13 insert "23" "Rapid transit act" means chapter four of the laws of eighteen hundred and ninety-one, entitled "An act to provide for rapid transit railways in cities of over one million inhabitants," as amended and supplemental. Line 13, change "22" to "24." Strike out lines 20, 21, 22. Line 23, change "24" to "25." Line 24, change "25" to "26."

PAGE 12

Line 4, change "26" to "27." Line 6, change "27" to "28." Line 8, change "28" to "29;" strike out "means," insert "includes." Line 14, strike out "may," insert "shall have been." Line 15, strike out "be;" strike out "dock;" strike out "or ferry department;" before "by," insert "of docks and ferries." Line 18, strike out "therefrom;" strike out ";" insert ";" ; strike out "the". Strike out lines 19, 20 and 21. Line 22, change "29" to "30"; strike out "include" insert "includes". Line 26, change "30" to "31."

PAGE 13.

Line 10, after "corporation" insert "in perpetuity"; after "the" insert "corporate". Line 11, after "York" strike out
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“,” insert “.”; strike out rest of line and lines 12, 13, 14, 15 and 16. Line 18, strike out “has” and insert “shall have”. Line 20, after “of” strike out rest of line and insert “the city of New York as now constituted”. Line 21, strike out to and including second “,”; strike out second “is” and insert “shall be”. Line 22, strike out “of each of such cor-”. Line 23, strike out “porations and parts”. Line 25, strike out “interests” and insert “interest”. Line 26, after “.” insert “The board of aldermen shall exercise all of the powers of the city except as otherwise provided in this act.”

PAGE 14

Line 1, after “.” strike out rest of line; insert “This.” Line 2, after “shall” insert “not;” strike out “be taken to.” After “reinvest” strike out rest of line; insert “a county.” Strike out line 3 to “with.” Line 4, strike out first “any,” insert “a;” strike out second “any,” insert “an.” Line 5, after “empower” strike out rest of line, insert “a county.” Line 6, strike out “thereof;” strike out first “any” insert “an;” strike out second “any,” insert “a;” after “debt” insert “.”; strike out rest of line and line 7. Line 17, strike out “comprised.” Line 19, after “and” insert “be”. Line 24, strike out “now or formerly.” Line 25, after first “island,” insert “southerly of the Harlem river and the Harlem ship canal.”

PAGE 15

Line 11, after “constituted,” insert “, except that the territory lying between the Harlem Ship Canal and Spuyten Duyvil Creek shall, until changed by ordinance, constitute a part of the second ward of the borough of Bronx.” Line 14, change “44” to “43.” Line 22, strike out “Perishable personal property,” insert “Supplies for current.” Line 23, strike out “sales of.”

PAGE 16

Strike out line 2. Line 3, change “29” to “28.” Line 4, change “30” to “29.” Line 5, change “31” to “30.” Line 6, change “32” to “31.” Line 7, change “33” to “32.” Line 8, change “34” to “33.” Line 10, change “35” to “34;” after first “of” insert “the.” Line 12, change “36” to “35.” Line 13, change “37” to “36.” Line 15, change “38” to “37.” Line 17, change “39” to “38.” Line 18, change “40” to “39.” Line 19, change “41” to “40.” Line 20, change “42” to “41.” Line 21, change “43” to “42.” Line 22, change “44” to “43.”

PAGE 17

Line 5, strike out "heretofore," before "or" insert "issued subsequent to January first, eighteen hundred and ninety-eight;" strike out "hereafter;" after "issued," insert "hereafter." Line 17, strike out ","; after "commission" insert ",".

PAGE 18

Line 6, after "including" insert "the materials, supplies, implements and plant and the." Line 10, strike out "the." Line 13, after "in," strike out rest of line and insert "the rapid transit act;". Strike out lines 14 and 15. Line 16, strike out "and" and insert "or;" after "stock," insert "or other stock or bonds the payment of which is not otherwise provided for". Line 19, strike out "the"; after "property" insert "deemed". Between lines 19 and 20 insert "8. The repavement of streets, the entire expense of which is to be paid by the city;". Line 20, change "8" to "9"; after "city" insert ";"; strike out "for pub.". Line 21, strike out. Line 22, change "9" to "10"; strike out "The"; strike out "deficiencies", insert "Deficiencies". Line 24, strike out "the"; after "property" insert "deemed".

PAGE 19

Line 1, change "10" to "11". Line 3, change "11" to "12". Line 5, change "12" to "13". Strike out lines 6 and 7. Line 8, before "stock", insert "Corporate". Strike out lines 10, 11, 12 and 13 to and including "expenses.", and insert in place thereof "Sec. 23. Supplies for current use and operating expenses not to be paid for from corporate stock. Except as otherwise provided in this act, proceeds of the sale of corporate stock shall not be expended for the purchase of personal property perishable in character, or in the nature of a supply for current use or for the payment of operating expenses." Line 13, strike out quotation marks. Line 14, strike out quotation marks. Line 14, strike out "excludes", insert "exclude". Line 15, after "administration", insert ","; strike out rest of line. Line 16, strike out "city,"; strike out "excludes", insert "exclude". Strike out lines 22, 23, 24, 25 and 26 and insert in place thereof "Sec. 24. Issue of corporate stock; how authorized. Corporate stock shall be issued when authorized by the board of estimate, except that in each of the following cases the concurrence of the board of aldermen shall be necessary to authorize the issue of corporate stock in any one calendar year beyond the amount specified therein:

1. For dock and ferry purposes, five million dollars;
2. For the construction and equipment of school buildings and

acquisition of school sites, three million five hundred thousand dollars;

3. For repaving of streets, three million dollars;

4. For the department of water supply, gas and electricity for water supply purposes, two million dollars;

5. For the permanent improvement of parks, five hundred thousand dollars;

PAGE 20.

Lines 1 to 5 inclusive, strike out. Line 7, strike out "chapter four", insert "the rapid transit act"; strike out line 8. Line 9, strike out "supplemented." Line 12, strike out "said" insert "the."

PAGE 21.

Line 1, after "same" insert ",". Line 4, strike out "thereof" and insert "of the proposition." Line 6, strike out "such," insert "the." Line 7, strike out "thereon" insert "upon the proposition." Line 13, strike out "passed," insert "concurred in;" strike out "action," insert "concurrence." Line 14, after "aldermen" insert ","; strike out "in passing any such proposition." Line 15, strike out first "a". Line 16, strike out "of aldermen". Line 18, after "board" insert ","; strike out last "of". Line 19, strike out "aldermen,".

PAGE 22.

Line 5, strike out first "the." Line 6, strike out "such;" strike out "as may be." Line 7, strike out "the." Line 8, after "fund" insert "into which such assessments are payable;" strike out section 28. Line 20, change "29" to "28." Line 25, after "moneys" insert ", including premiums,".

PAGE 23.

Strike out lines 4 and 5. Line 6, change "5" to "4;" after "moneys" insert "including premiums." Line 9, change "6" to "5;" after "moneys" insert ",". Line 11, change "7" to "6." after "moneys" insert ", excluding premiums,". Line 14, change "8" to "7", after "moneys" insert ", excluding premiums,". Line 19, change "9" to "8", after "moneys" insert ", excluding premiums,". Line 22, change "10" to "9", after "moneys" insert ", including premiums,". Line 24, change "30" to "29".

PAGE 24.

Line 1, change "31" to "30". Line 3, after "moneys" insert ", including premiums,"; line 13, after "moneys" insert ", including premiums,"; strike out lines 16 and 17. Line

18, change "6" to "5". Line 20, change "7" to "6", after "moneys" insert ", excluding premiums,". Line 23, change "8" to "7" after "moneys" insert ", excluding premiums,". Line 27, change "9" to "8", after "moneys" insert ", excluding premiums,".

PAGE 25.

Line 3, change "10" to "9", after "moneys" insert ", including premiums,". Line 5, change "32" to "31". Line 12, strike out "street improvement", after "fund" insert "for street and park openings". Line 17, change "revenue" to "revenues". Line 23, strike out "approved" and insert "determined".

PAGE 26.

Line 5, strike out "approved", insert "determined". Line 7, change "34" to "33". Line 11, after "to", insert "provide means necessary to"; strike out ":". Line 12, strike out "expense necessarily" and insert "expenses". Line 17, after "audited" insert "and allowed"; strike out lines 20, 21, 22, 23. Line 24, change "6" to "5", change "expense" to "expenses", after "supplying" insert "setting and repairing"; strike out lines 25 and 26. Line 27, change "8" to "6".

PAGE 27.

Line 3, change "9" to "7"; strike out "necessarily"; strike out "fire". Line 4, strike out ","; after "departments" insert "and the bureaus of buildings". Line 6, change "10" to "8"; strike out "ferry"; after "department" insert "of docks and ferries". Line 9, strike out ",". Between lines 10 and 11, insert "9. The expense of a local improvement determined by the board of estimate to be borne by one or more boroughs." Strike out lines 11 and 12. Line 13, change "12" to "10"; strike out "The expense", insert "Expenses"; strike out "the appropri-" and insert "authorized as provided in this act;". Strike out line 14. Between lines 14 and 15, insert "11. The deficiency, if any, in the funds of a borough for replacing pavements; 12. The amount of special appropriations, not exceeding, however, the sum of two million dollars in any one calendar year." Line 22, change "35" to "34".

PAGE 28.

Line 5, strike out "and", insert "but". Line 12, strike out "note was", insert "notes were". Line 13, change "36" to "35".

PAGE 30.

Line 3, change "37" to "36". Line 11, after ".", insert "Such interest shall be provided for in the annual budget or paid

from the general fund". Line 15, change "funds" to "fund". Line 17, change "38" to "37".

PAGE 31.

Line 2, strike out second ",". Line 6, strike out first ",". Line 15, change "39" to "38". Line 20, strike out "for at least", insert "published not less than".

PAGE 32.

Line 23, strike out "such obligations", insert "corporate stock". Line 24, after "the", insert "general", after "fund", insert "for the reduction of taxation"; strike out "from which such obligations"; strike out line 25. Line 26, change "40" to "39", after period strike out rest of line. Line 27, strike out "for rapid transit purposes,"; strike out "the", insert "The".

PAGE 33.

Line 11, strike out "designate", insert "determine", after "." strike out rest of line; strike out lines 12, 13, 14, 15. Line 16, change "41" to "40". Line 18, change "42" to "41". Line 23, strike out "and of", insert "in".

PAGE 34.

Line 2, after "obligation" insert "of the same class". Line 9, change "43" to "42". Line 16, change "44" to "43".

PAGE 36.

Line 9, strike out "In all proceedings under this act the"; after period insert "The".

PAGE 37.

Line 1, strike out "shall". Line 24, strike out ",".

PAGE 39.

Line 9, strike out ","; after first "and" insert ",". Line 10, strike out ",". Line 11, strike out ",". Line 12, strike out ",". Line 13, strike out ",". Line 20, after "commission" insert ","; strike out rest of line.

PAGE 40.

Line 8, after "commission" insert "."; strike out rest of line. Line 9, strike out "duties". Line 16, strike out second ",". Line 17, strike out ",". Line 18, strike out ",". Line 24, strike out ",".

PAGE 43.

Line 23, after "taxation" strike out ". For" and insert "; and for".

PAGE 44.

Line 4, strike out "prior", insert "subsequent". Line 6, strike out quotation marks. Line 7, strike out "," and strike out quotation marks. Line 11, strike out quotation marks. Line 12, strike out quotation marks. Line 24, change "accepted" to "excepted"; strike out quotation marks. Line 25, strike out quotation marks.

PAGE 45.

Line 6, after "next" insert "succeeding". Line 7, strike out "raised" and insert "appropriated". Line 14, continue line 15 as same paragraph.

PAGE 46.

Line 3, after second "fund" insert "for the reduction of taxation". Line 8, after "fund" insert "for the reduction of taxation". Line 13, strike out "Legislative Department.", insert "Board of Aldermen." Line 18, strike out. Line 19, change "74" to "73". Line 20, change "75" to "74". Line 21, change "76" to "75". Line 22, change "77" to "76". Line 23, change "78" to "77". Line 24, change "79" to "78"; after "continued" insert "."; strike out rest of line. Line 25, change "80" to "79". Line 26, change "81" to "80".

PAGE 47.

Line 1, change "82" to "81". Line 2, change "83" to "82"; strike out "subordinates", insert "assistants". Line 3, change "84" to "83". Line 4, change "85" to "84". Line 5, change "86" to "85"; after "Deputies" insert "and subordinates". Line 6, change "87" to "86". Line 7, change "88" to "87". Line 8, change "89" to "88". Line 9, change "90" to "89". Line 10, change "91" to "90". Line 11, change "92" to "91"; strike out "; courts to"; strike out line 12. Line 13, change "93" to "92". Line 14, change "94" to "93". Line 15, change "95" to "94". Line 16, change "96" to "95"; between lines 16 and 17, insert "96. Ordinances affecting licensees or permits." Line 17, strike out "Contracts; prohibitions." and insert "Restrictions of power." Line 21, after "aldermen" insert "."; strike out rest of line. Line 22, strike out "New York."; strike out rest of line. Line 27, after "." insert "Each borough president shall be entitled to a seat in the board of aldermen and to be heard upon any matter relating to his borough, but shall have no vote."

PAGE 48.

Line 7, make "election" "elections". Line 8, after "aldermen" insert "subject, however, to review on certiorari". Strike out lines 9, 10, 11. Line 12, change "74" to "73". Line 22, strike out "elected".

PAGE 49.

Line 1, change "75" to "74". Line 2, strike out "of the". Line 3, strike out to first "of". Line 6, change "76" to "75". Line 8, after "board" insert "subject, however, to review on certiorari". Line 10, change "77" to "76". Line 16, change "78" to "77"; strike out "The city is divided into", insert "There shall be". Line 18, strike out "are" insert "shall be". Line 19, strike out "are" insert "shall be". Line 20, strike out "are" insert "shall be". Line 21, strike out "are" insert "shall be". Line 22, strike out "are" insert "shall be". Line 23, change "79" to "78"; strike out "; redistricting." Line 25, strike out "by the board of aldermen by resolution.", insert "statute, except that the territory lying between the Harlem Ship Canal and Spuyten Duyvil Creek shall constitute a part of the forty-first aldermanic district."

PAGE 50.

Lines 1, 2, 3, 4, strike out; strike out line 5 to and including ". Line 9, change "80" to "79". Line 13, change "81" to "80". Line 22, after "notice" insert "to any member". Line 26, change "82" to "81".

PAGE 51.

Line 9, change "83" to "82"; strike out "subordinates" insert "assistants"; strike out "At the ex-". Line 10, strike out "piration of the term of the clerk now in office,"; change "the" to "The". Line 12, strike out "prior". Line 13, strike out "elected" insert "appointed". Line 14, after "removed" insert "for cause". Line 16, after first "board" insert "subject, however, to review on certiorari". Line 17, strike out "subordinates" insert "assistant sergeant-at-arms". Line 19, change "84" to "83".

PAGE 52.

Line 7, change "85" to "84". Line 8, strike out "such as" insert "the papers and documents". Line 9, strike out to "of". Line 10, change "officers" to "offices". Line 12, after "as" insert "he"; strike out "be required". Line 13, after "statute" insert "be required to attest. He shall not attest an instrument required to be executed under the seal of a department, board,

body or office". Line 17, at the end of line insert "issuing of marriage licenses and of". Line 21, change "86" to "85"; after "Deputies" insert "and subordinates"; after "deputies" insert "and may appoint other subordinates". Line 22, after "borough" insert "who shall be a resident of the borough". Line 23, change "87" to "86". Line 24, strike out "except as otherwise provided in this act," insert "subject to the provisions of this act and the general statutes of the state"; strike out "make" insert "adopt". Line 26, strike out "First" insert "1".

PAGE 53.

Line 1, change "Second" to "2". Line 2, change "Third" to "3". Line 3, change "Fourth" to "4". Line 5, change "Fifth" to "5"; strike out "the"; after "licensing" insert ","; strike out rest of line, insert "regulating". Line 6, strike out "prohibit," insert "prohibiting". Strike out lines 8 to 14, inclusive. Line 15, change "Eighth" to "6". Line 17, change "Ninth" to "7". After line 18 insert "8. To regulate auction sales." Line 20, after first "board" insert "."; strike out rest of line and all of lines 21, 22, 23, 24 and 25 and insert "The board may provide for the enforcement of ordinances by penalty, fine, forfeiture or imprisonment; by penalty and forfeiture; by forfeiture and imprisonment; by fine and forfeiture; by fine and imprisonment; and by suspension or forfeiture of license in an appropriate case."

PAGE 54.

Line 1, change "88" to "87". Line 9, after "three" insert "calendar". Line 11, at end of line insert "Every ordinance shall be general in its application throughout the city, except that an ordinance may be made applicable only to a borough or to a specific portion of the city." Line 12, change "89" to "88".

PAGE 55.

Line 6, change "90" to "89". Line 9, after "effect" insert "in like manner as if he had signed it". Line 13, change "91" to "90". Line 16, strike out "all". Line 21, change "92" to "91"; after "published" strike out rest of line. Line 22, strike out "judicial notice"; strike out "the", insert "a code of"; strike out "codified", insert "prepared". Line 26, after "." insert "For such revision the board may employ experts and fix their compensation."

PAGE 56.

Lines 3 and 4, strike out. Line 5, strike out "have been so revised."; strike out "The code" insert "Ordinances contained in the code"; after "or" insert "any". Strike out "the". Line 7, strike out "shall be prima facie", insert "may be read in". After "evidence" insert "."; strike out rest of line. Line 8, strike out "its authenticity." and rest of line. Strike out lines 9 and 10. Line 11, change "93" to "92". Line 14, strike out "commis-", insert "office". Line 15, strike out "sion". Line 16, change "94" to "93". Line 25, change "95" to "94".

PAGE 57.

Line 2, strike out first "and", insert "whether". Line 9, change "96" to "95". Line 18, after "tions" insert "except for public purposes"; strike out "a". Line 19, change "fee" to "fees". Between lines 21 and 22 insert "Sec. 96. Ordinances affecting licenses or permits. The previous recommendation, consent or approval of the board of aldermen or a committee or member thereof shall not be necessary to the issuance of a license or permit for any purpose, and no ordinance shall require such recommendation, consent or approval." Line 22, strike out "Contracts; prohibitions", insert "Restrictions of power".

PAGE 58.

Line 1, strike out first "or" insert ","; after "penalty" insert "or forfeiture". Line 24, after "him" change "," to "."; strike out "or the"; before "secretary" insert "The"; after "mayor" insert ".". Line 25, after "mayor" insert ",".

PAGE 59.

Line 4, change "134" to "135". Line 6, change "159" to "158". Line 9, after "organization" insert "and powers". Line 10, after "board" insert "; secretary". Line 13, strike out "relating to appropriations" insert "involving expenditures". Line 16, strike out "Maximum prices;"; change "standards" to "Standards"; strike out lines 17 and 18 and insert "Sec. 117. Settlement of claims; cancellation and relief from taxes and assessments." Line 26, strike out ",".

PAGE 60.

Line 1, strike out comma after "Richmond". Line 3, strike out comma after "aldermen"; after "secretary" insert "of the board". Line 7, after "office" insert "with a person of suitable age and discretion." Line 8, strike out "as", insert "by

members of." Line 9, strike out "may by rule", insert "entitled to cast six votes or as the board"; strike out comma after "mayor". Line 10, strike out comma after "aldermen". Line 17, after second "by" insert "the affirmative vote of members entitled to cast at least". Line 23, strike out "and", second occurring, insert "which". Strike out lines 25 and 26.

PAGE 61.

Strike out all to and including line 10 and insert "Sec. 113. Resolutions involving expenditure. A resolution involving the expenditure of moneys, other than a resolution relating to the annual estimate or a special appropriation, shall, upon its adoption by the board, be certified by its secretary and be presented to the mayor. If he approve it, he shall sign it and return it to the secretary, and it shall then take effect. If he disapprove it, he shall return it to the secretary with his objections, which shall be entered in the minutes of the board. The board may, within twenty days after the return of a resolution disapproved by the mayor, reconsider and may readopt the same. If the resolution be readopted by the board, it shall take effect. Upon such reconsideration but one vote shall be had. If, within ten days after the resolution shall have been presented to the mayor, he do not return it approved or disapproved, it shall take effect as if he had returned it approved. At any time prior to the return of a resolution by the mayor the board may recall the same and may reconsider its action thereon." Line 13, strike out "by", insert "other". Line 14, strike out "the rules of", insert "by"; strike out all of the line after the period, and lines 15, 16, 17 and 18. Line 19, strike out ",". Strike out line 20; strike out to "may". Line 21, after "contract" insert "and specifications". Line 23, after "supplies" insert "which shall be approved as to form by the corporation counsel". Line 24, strike out "Maximum prices;"; change "standards" to "Standards." Line 25, strike out "maximum prices and".

PAGE 62.

Strike out lines 4 to 7 and insert "Sec. 117. Settlement of claims; cancellation of and relief from taxes and assessments. The board may upon the recommendation in writing of the corporation counsel

1. Inquire into, settle and adjust any claim against the city and authorize the payment thereof, whether or not an action be pending thereon, for work done, materials or supplies furnished or services rendered, provided it appear to the board, after public examination of witnesses under oath by the board or a member

thereof that it is just for the city to pay the same, without regard to any defense at law which the city may have other than the statute of limitations; but the board shall not authorize the payment of a claim for services performed under an appointment or employment made in violation of the civil service law. The amount of claim so allowed shall be paid as a judgment;

2. Hear and determine any application for relief from an assessment for a local improvement, provided that the amount of the assessment as so readjusted be paid forthwith by the applicant; and no person who shall have made an application to the board for relief hereunder shall thereafter maintain an action or proceeding for relief from such assessment or any part thereof, or to set the same aside;

3. Cancel in writing, vacate or reduce a tax, including water rents, or an assessment, other than one confirmed by a court of record, or any item of such tax or assessment, which by reason of want of authority, jurisdiction, defect or substantial error is void or invalid, whether such invalidity appear upon the face of the proceedings or otherwise;

4. By unanimous vote, cancel a tax, assessment, water rents, tax sale or tax lien against real property exempt under subdivision seven of section four of the tax law at the time such tax, water rents or assessment became a lien." Between lines 13 and 14, insert " 126. Public hearing on and publication of tentative estimate." Line 14, change " 126 " to " 127 ". Line 15, change " 127 " to " 128 ". Line 16, change " 128 " to " 129 ". Line 17, change " 129 " to " 130 "; strike out " Public hearing on and publication of ", insert " Mayor's action on ". Line 19, change " 130 " to " 131 ". Line 20, change " 131 " to " 132 ". Line 21, change " 132 " to " 133 ". Line 22, change " 133 " to " 134 ". Line 23, change " 134 " to " 135 ".

PAGE 63.

Line 1, before " county ", insert " each ". Line 2, strike out " July ", insert " September ". Line 6, strike out " duplicate ", insert " copy ". Line 8, after " men " insert " and to the Supervisor of the City Record ". Line 9, strike out " supervision ", insert " direction ". Line 10, after first " of ", insert " the comptroller, ". Line 11, strike out " four ", insert " three ". Between lines 14 and 15, insert " The committee shall fix a time and place for a public hearing in regard to each departmental estimate. Each such estimate shall be published in the City Record at least ten days before the time fixed for such hearing, and simultaneously with such publication there shall also be published in the City Record the notice of such hearing. At least

five days notice of the hearing upon a departmental estimate shall be given the head of the department, board, body or office whose estimate is to be considered at such hearing. Sec. 126. Public hearing on and publication of a tentative estimate. The board of estimate shall fix a time and place for a public hearing in regard to the tentative estimate. Such estimate shall be published in the City Record at least ten days before the time fixed for such hearing, and simultaneously with such publication there shall also be published in the City Record the notice of such hearing." Line 15, change "126" to "127". Line 16, strike out "tenth", insert "first". Line 22, after "conditions", insert "imposed by the board, if any,". Line 24, change "127" to "128".

PAGE 64.

Line 10, change "128" to "129". Strike out lines 18 and 19. Line 20, change "4" to "3"; after "administration" insert "not payable from proceeds of sale of corporate stock". Strike out "the public". Line 21, strike out to and including "all"; strike out "other". Line 23 after "except" insert "the public service commission in the first district;"; strike out rest of line 23. Line 24 change "5" to "4"; strike out "necessary". Line 25, after "counties" insert "which it to be paid by the city or a county". Line 26, change "6" to "5".

PAGE 65.

Line 1, change "7" to "6". Line 2, change "8" to "7". Line 3, change "9" to "8". Line 4, change "10" to "9". Line 7, change "11" to "10". Line 10, change "12" to "11". Line 13, after "stock" insert ",". Line 16, change "13" to "12"; after "bonds;" insert ", when necessary". Line 17, change "14" to "13". Line 20, change "15" to "14". Line 24, change "16" to "15".

PAGE 66.

Line 1, change "17" to "16". Line 4, change "18" to "17". Line 6, change "19" to "18"; after "Disciplinary" insert "Training". Line 7, change "20" to "19". Line 8, change "Meteorological" to "Meterological". Line 14, change "21" to "20". Line 18, strike out "shall". Line 19, strike out "deem proper", insert "determine". Line 20, change "22" to "21". Line 21, strike out ":".

PAGE 67.

Line 2, after "children" insert "and correctional institutions". Line 5, after "support" insert ", maintenance". Line

13, after "institution" insert "mentioned in section fourteen of article eight of the state constitution". Line 14, strike out "the", insert "its"; after "provisions" insert ";"; strike out "of section fourteen of", insert "moneys paid to any such institution shall be expended only for the care, support, maintenance or education of its inmates;". Strike out line 15. Line 16, change "23" to "22". Line 21, change "24" to "23". Line 22, strike out all after ";". Strike out lines 23 and 24. Line 25, change "25" to "24".

PAGE 68.

Line 2, strike out all after "." Strike out the lines 3 to 17, inclusive. Insert "Sec. 130. Mayor's action on annual estimate. The annual estimate shall, upon its adoption by the board of estimate, be certified by the secretary of the board and presented to the mayor. The mayor may, within five days, disapprove one or more items of the estimate, and shall return it to the secretary of the board with a statement of the items disapproved, if any, and his reasons for such disapproval. Such statement shall be entered in the minutes of the board. The board may, within five days after the return of the estimate, reconsider an item disapproved by the mayor, and such item may be readopted by the board. Upon such reconsideration but one vote shall be had. The portion of the estimate not disapproved by the mayor, together with the items readopted by the board, shall constitute the completed annual estimate. At any time prior to the return of the estimate by the mayor the board may recall the same and reconsider its action thereon." Line 18, change "130" to "131". Line 25, strike out "finally". Line 26, strike out "finally"; at end of line insert "and in the latter case shall transmit the same to the mayor."

PAGE 69.

Line 1, strike out "and if" insert "If". Line 2, strike out "finally". Line 3, strike out "finally". Line 4, strike out "shall not have power". Line 5, strike out "to" insert "may"; at end of line insert "state taxes, for principal of or interest on the city debt or the amount of an item fixed by statute." Strike out line 6. Line 7, strike out "provements."; after "action" insert "of". Line 8, strike out "subject to the" insert "approved or disapproved by". Line 9, strike out "veto of"; after "mayor," insert "within five days after transmission"; after "unless" insert "the item disapproved be readopted within ten days". Line 13, strike out "," after "item" insert "."; strike out rest of line and line 14. Line 15, change "131" to "132".

Line 23, strike out "a copy thereof". Line 25, change "132" to "133".

PAGE 70.

Line 1, strike out "unexpended" insert ",", after allowing for all sums chargeable against the same". Line 2, after "made" insert ",". Line 4, change "133" to "134"; after appropriations." insert "The board of estimate may transfer an appropriation for a specific purpose in one year and found by the head of a department, board, body or office, or a court, to be in excess of the amount required for such purpose to another purpose of such year for which the appropriation shall have been found to be insufficient, but the board shall not transfer moneys appropriated in one year to any purpose of another year." Strike out rest of line 4. Strike out lines 5 to 9, inclusive. Line 10, change "134" to "135". Line 11, after "office," strike out rest of line; strike out lines 12, 13, 14 and 15, and insert "special appropriations may be made by the board of estimate for the purposes for which appropriations may be made in the annual budget, subject, however, to action thereon by the mayor and board of aldermen, as in the adoption of the annual budget. Moneys required for such appropriations shall be provided by the issue of special revenue bonds." Line 25, after "The" insert "city"; strike out "of the territory lying within the city,"; after "as" insert "defined by section four hundred and thirty-eight of chapter four hundred and sixty-six of the laws of nineteen hundred and one with all additions thereto or changes therein heretofore or hereafter made"; strike out "here"; strike out line 26 to "by".

PAGE 71.

Line 21, strike out "grades", insert "grade". Line 22, strike out "or other expert"; after "shall" insert ", when necessary,". Line 24, at end of line insert "and he shall furnish co-ordinates". Line 25, after "for" insert "primary and"; after "stations" strike out "," insert "."; strike out rest of line and strike out line 26.

PAGE 72.

Line 1, strike out to and including "." Line 3, strike out "or part thereof". Line 10, strike out comma after "days". Line 16, strike out "favor", insert "adopt". Line 18, strike out ";;" insert "."; strike out "provided how-"; strike out lines 19 to 23, inclusive. Line 24, strike out "street opened."

PAGE 73.

Line 11, strike out "the mayor and".

PAGE 74.

Line 5, after "be" insert "filled in the office of the city engineer, corporation counsel and". Line 11, change "franchises" to "franchise". Line 15, change "franchises" to "franchise"; strike out "; " insert "."; strike out rest of line. Line 16, strike out to "franchises" insert before "franchises" "Existing ordinances relating to". Line 18, strike out. Line 19, change "157" to "156". Line 20, change "158" to "157". Line 21, change "159" to "158"; strike out "to grants" insert "."; strike out line 22.

PAGE 75.

Line 3, strike out "franchise". Strike out lines 4 to 12, inclusive. Line 13, change "franchises" to "franchise". Line 16, after "upon" insert "a"; strike out "therefore" insert "for the grant". Line 17, strike out ",". Line 18, after "published" insert "within twenty days immediately prior thereto"; strike out "twice", insert "ten times". Line 25, strike out "provisions" after "detail", insert "pensions, if any,".

PAGE 76.

Line 7, after "lished" insert "within twenty days immediately prior thereto"; strike out "twice", insert "ten times"; strike out "prior thereto". Line 11, at end of line insert "This section shall not apply to franchises granted pursuant to the rapid transit act." Line 14, after "cast" insert "at least"; after "votes" insert "." Line 15, strike out "in the aggregate." Line 16, strike out first "the". Line 21, strike out "taking effect" insert "adoption".

PAGE 77.

Line 3, change "franchises" to "franchise"; strike out " ; tunnel railroads". Line 5, strike out "except as herein provided,". Line 8, after "of" insert "the right to renewals"; strike out "renewal"; strike out "to" at end of line. Line 9, strike out to "pursuant". Line 10, strike out "," insert "."; strike out rest of line. Strike out lines 11 to 23, inclusive. Line 24, strike out to "franchises", insert before "franchises" "Existing ordinances relating to"; after "An" insert "existing". Line 25, strike out "shall", insert "can"; strike out "subject to".

PAGE 78.

Line 1, strike out to "by", insert "modified, amended or repealed". Strike out lines 3 to and including "franchise." on line 20, and insert "Sec. 155. Reversion of franchise to city; condi-

tions. Upon the termination of a franchise all the rights of the grantee thereunder shall cease and determine. The grant of a franchise may provide that all or any part of the property constructed or maintained pursuant to the franchise shall, upon the termination of the franchise, become the property of the city without compensation or that there be a fair appraisal of the value of such property and that it become the property of the city upon payment to the grantee of the amount of such appraisal. If the grant of a franchise provide for an appraisal, it shall specify the method of appraisal. On such appraisal the value derived from the use of the property in connection with the franchise shall be excluded." Line 21, strike out "take". Line 22, strike out "and"; strike out first ","; strike out second ",". Line 23, strike out first ",".

PAGE 79.

Line 2, after "." insert "This section shall not apply to franchises granted pursuant to the rapid transit act."; strike out rest of line 2; strike out lines 3 and 4; strike out rest of page.

PAGE 80.

Strike out lines 1 to 11, inclusive. Line 12, change "157" to "156". Line 15, strike out "including". Line 16, strike out "a revocable privilege". Line 19 change "158" to "157". Line 21, strike out second ",", insert "."; strike out "but", insert "They". Line 22, strike out "applications for"; strike out "or revocable privileges". Line 23, strike out "the same", insert "such franchise"; strike out "consented to", insert "granted". Line 24, strike out "unanimous"; after first "of" insert "all of", after second "the" insert "members of the", after "board" insert "."; strike out rest of line. Line 26, change "159" to "158", after "applicable" insert "."; strike out rest of line.

PAGE 81.

Line 1, strike out "this article". Line 7, strike out "as to improvements". Line 10, strike out "sewer system", insert "sewerage plan". Line 11, strike out "drainage", insert "sewerage". Line 12, strike out after "175", insert "Permanent sewer plan." Line 15, strike out after "170" and insert "Jurisdiction of Board of estimate. The board of estimate shall determine whether a proposed improvement shall be a general or a local improvement. Except as otherwise expressly provided in this act, all general and local improvements, if approved, shall require the authorization of the board of estimate. The resolution of a local board proposing an improvement shall be approved or disapproved

by the board of estimate. The board of estimate may, without a proposal of a local board, authorize a general improvement and determine that the expense thereof be borne by the city or by one or more boroughs or by the city and one or more boroughs, and apportion such expense. The board of estimate may, without a proposal of a local board, authorize a local improvement for the opening, closing, widening or extending of streets or the construction of sewers, bridges or tunnels or the improvement of the waterfront. When an improvement shall have been authorized by the board of estimate, the board shall direct that the improvement be carried out by the proper officers." Strike out lines 16 to 24, inclusive. Line 25, strike out "as to improvements".

PAGE 82.

Line 3, strike out "the authorization of". Line 4, strike out "public", after "improvements" insert "for"; strike out "it may initiate," insert "its authorization is required". Line 19, strike out "sewer system", insert "sewerage plan". Line 25, strike out "and grade", insert "or capacity and elevation". Line 26, after "sewers" insert "to be retained", after "improvements" insert ","; strike out "thereto", at end of line insert "of".

PAGE 83.

Line 2, strike out after "maps". Line 3, strike out to "the", after "grades" strike out ","; insert "of the streets."; strike out "and shall"; strike out lines 4 and 5. Line 6, strike out "drainage", insert "sewerage". Line 8, strike out "such", insert "the". Line 10, strike out "shall"; strike out "the same", insert "it". Line 12, strike out "such", after "thereof" strike out ".", insert "accordingly."; strike out rest of line; strike out line 13. Line 14, strike out "Drainage maps to be filed", insert "Permanent sewer plan". Line 15, after "drainage" insert "and sewerage". Line 17, strike out "such," insert "the". Line 18, strike out "complete", insert "completed". Line 19, strike out "mayor and the".

PAGE 84.

Line 8, strike out "portion, if any," insert "proportion". Line 10, after first "the", insert "estimated". Line 11, after "dollars" insert "or by a borough exceed the sum of one hundred thousand dollars"; strike out lines 13, and 14 to and including "benefited,"; change "the" to "The". Line 15, after first "the", insert "comptroller"; strike out rest of line. Strike out line 16. Line 17, strike out ".". Line 18, at end of line, insert "The expense of a local improvement, determined by the board of

estimate to borne by a borough, shall be paid out of the proceeds of special revenue bonds." Line 20, strike out, insert "The Mayor." Line 22, strike out, "Absence or disability", insert "Disability or absence". Between lines 23 and 24, insert "Sec. 193. Duties of the mayor." Line 24, change "193" to "194". Line 25, change "194" to "195".

PAGE 85.

Line 1, change "195" to "196". Line 3, change "196" to "197"; strike out "Marshals" insert "City marshals". Line 5, after "city", insert "and be a magistrate". After line 9, strike out rest of page and insert "Sec. 191. Disability or absence of the mayor. The president of the board of aldermen shall act as mayor during the disability or absence from the city of the mayor, except during the time specified in a designation made as provided in this section. The president of the board of aldermen while acting as mayor shall not exercise the power of appointment to or removal from office until the disability or absence have continued more than thirty days after his assumption of the duties of mayor, or approve or disapprove an ordinance or resolution of the board of estimate until the disability or absence have continued more than nine days after his assumption of such duties. The mayor may designate by writing, filed in his office and in the office of the city clerk, a member of the board of estimate or a commissioner who is the head of a department who shall act as mayor during the disability or absence from the city of the mayor, for a period not exceeding forty consecutive days or more than sixty days in a calendar year. The officer so designated shall not have the power of mayor in relation to franchises or appointment to or removal from office. The mayor may revoke such designation. Such designated officer shall serve without additional compensation."

PAGE 86.

Strike out lines 1 and 2. Line 8, strike out "both the". Line 9, strike out first word after "aldermen", insert "both". Line 11, strike out "and possess". Line 12, strike out "all his rights and powers,"; strike out second "all". Between lines 13 and 14, insert "Sec. 193. Duties of the mayor. It shall be the duty of the mayor

1. To communicate to the board of aldermen, at least once in each year, a general statement of the finances, government and improvements of the city;

2. To recommend to the board of aldermen such measures as he deem expedient;

3. To inform himself concerning and generally supervise the several departments, boards, bodies and offices of the city;

4. To be vigilant and active in causing the ordinances of the city, and laws of the state to be executed and enforced, and he may call together for consultation and co-operation the heads of the several departments, boards, bodies and offices;

5. To perform the duties prescribed for him by ordinance and statute." Line 14, change "193" to "194". Line 15, strike out "a secretary"; strike out last "the". Line 16, strike out "commissioner or two", insert "a" after "statistics," insert "city". Line 18, strike out "of", insert "or". Line 22, strike out "Com-"; strike out lines 23 and 24. Line 25, change "194" to "195".

PAGE 87.

Line 12, change "195" to "196". Line 13, strike out after "powers." Line 14, strike out "statistics shall appoint a deputy."; strike out "or commis-". Line 15, strike out "sioners"; before "shall" insert "of accounts and statistics"; after "shall" insert "appoint a deputy. Either the commissioner or the deputy shall be a competent public accountant. The commissioner shall"; strike out ":". Line 18, strike out "or commissioners"; at end of line insert "quarterly". Line 19, after "chamberlain" insert "and comptroller and of the trustee of each pension, relief and retirement fund". Line 24, strike out "or commissioners", insert "and the deputy"; after "shall" insert "each"; after "have" insert "full". Strike out line 25, insert "to compel the attendance of witnesses, to administer oaths and to examine such persons as he may deem necessary."

PAGE 88.

Line 7, strike out "or commissioners". Line 8, strike out "conveniently"; after "for" insert "convenient". Line 16, strike out "or commis-". Line 17, strike out "sioners." Line 20, after "actions" insert "shall". Line 22, change "196" to "197"; strike out "Marshals", insert "City marshals". Line 23, before "marshals" insert "city". Line 26, strike out ".", insert "and shall hereafter be known as city marshals."

PAGE 89.

Line 4, after "of" insert "administrative". Line 5, after "Powers" insert "duties". Line 8, strike out "and", insert ","; after "offices" insert "and positions". Line 12, strike out "; prohibitions". Line 14, after "Copies" insert "and inspection"; strike out "to be furnished". Strike out lines 15 and

16. Line 17, change "223" to "222". Line 18, change "224" to "223". Line 19, change "225" to "224". Line 20, change "226" to "225". Line 21, change "227" to "226". Strike out lines 22, 23, 24. Line 25, change "231" to "227".

PAGE 90.

Line 18, strike out. Line 19, change "13" to "12". Line 20, change "14" to "13". Line 21, change "15" to "14". Line 22, change "16" to "15"; strike out rest of line, insert "Department of docks and ferries." Strike out line 23. Line 24, change "18" to "16". Line 25, change "19" to "17". Line 26, change "20" to "18".

PAGE 91.

Line 1, change "21" to "19". Line 2, change "22" to "20". Line 3, change "23" to "21". Line 4, change "24" to "22". Line 5, change "25" to "23". Line 6, change "26" to "24". Line 7, change "27" to "25". Line 8, change "28" to "26"; strike out "officers", insert "president". Line 9, after "Powers" insert ", duties"; strike out "All the authority.". Strike out lines 10, 11, 12. Line 13, strike out "specifically provided." Line 18, strike out "exercising", insert "upon which or whom is imposed"; at end of line add "or like functions,".

PAGE 92.

Line 1, after "shall" insert "continue in full force and effect and such contracts shall"; after "out" insert "and such bonds and undertakings be enforceable". Line 3, before "functions" insert "or like". Line 4, after "act" insert "."; strike out rest of line. Strike out line 5. Line 8, after "may" insert ", with the consent of the board of estimate,.". Line 9, strike out "and", insert ", but". Line 10, after "the" insert "following"; after "departments" strike out "of" insert ":"; after "treasury" strike out "," insert ";", insert "tax;". Line 11, after "law" strike out "," insert ":"; after "police" strike out "," insert ":"; after "fire" strike out "," insert ";"; after "tenement-house" strike out "," insert ";"; after "health" strike out "," insert ";"; insert "charities;"; after "electricity" insert "; park; bridge;". Line 12, strike out "and"; strike out ".", insert "; licenses." Line 13, strike out "A", insert "Except as otherwise provided in this act a". Line 14, strike out ":", insert ", and a"; strike out "Each". Line 15, strike out "except as herein otherwise provided,.". Line 18, strike out first "and", insert ","; after "offices" insert "and

positions"; strike out "All", insert "Except as otherwise provided in this act, all existing". Line 19, strike out "of the city or a county,". Line 20, strike out "now existing,"; strike out "jurisdiction,". Line 21, strike out first "," and rest of line. Line 23, strike out second "or", insert ","; at end of line add "or positions". Strike out all of line 24 after "therein,". Line 25, strike out "plovees therein,"; strike out "and", insert ","; after "offices" insert "and positions". Line 27, after "department" insert " , board, body and office".

PAGE 93.

Line 1, strike out "the". Line 2, strike out "first "and", insert ","; strike out "the". Line 3, strike out "law", insert "statute". Line 8, after section mark strike out all of section 217, and insert "217. Official seals. The form and design of the official seal of a city department, board, body or office shall be that of the common seal of the city, with the name of the department, board, body or office therein. A city department, board, body or office now using a seal which conforms to such requirements may continue to have and use the same as its official seal. The board of estimate may authorize any other city department, board, body or office to have and use an official seal. The courts shall take official cognizance of such seals." Line 13, strike out "city or county". Line 15, strike out first ","; after "uniforms," insert "or both,". Line 20, strike out " ; prohibitions." Line 21, strike out city or county".

PAGE 94.

Line 1, strike out "city and county". Line 7, after "purpose" insert "or fixed pursuant to statute". Line 16, after "Copies" insert "and inspection" ; after "records" strike out "to be furnished" ; strike out "The", insert "Except as otherwise provided in this act, the" at end of line add "city". Line 18, after "departments" insert "," ; strike out rest of line. Line 19, strike out "ties,". Line 22, strike out "All records". Line 23, 24, 25 and 26, strike out and insert "All records in a department, board, body or office, except police and law departments, and except records other than public records of the commissioner of accounts and statistics, shall at all times, subject to reasonable rules, be open to public inspection by a taxpayer. Such records shall not include opinions furnished by the law department."

PAGE 95.

Line 1, at beginning of line insert "If" ; strike out "person" insert "taxpayer". Line 2, after "to" insert "obtain a copy of

or to". Line 5, after "directing" insert "the furnishing of such copy or permission of"; strike out all of section 222. Line 10, change "223" to "222". Line 11, strike out "any city or county" insert "a". Line 16, strike out "Whenever" insert "When"; strike out "a city or", insert "an". Line 17, strike out "county". Line 18, after "officer" insert "or employee". Line 22, change "224" to "223"; after "Each head of" insert "a city". Line 27, strike out "comptroller, the board of estimate and" insert "supervisor of the City Record for publication".

PAGE 96.

Line 1, strike out "board of aldermen." Line 4, strike out first "or" insert ";". Line 5, strike out "other than a cor-"; strike out line 6. Line 7, strike out "ities,"; strike out "comptroller", insert "board of estimate". Line 8, strike out "he", insert "it"; strike out "the mayor, comptroller and board of", insert "it an annual". Line 9, strike out "aldermen a"; after "report" insert "."; strike out rest of line. Line 10, change "225" to "224". Line 17, after "code." strike out rest of line; strike out lines 18, 19, 20, 21, 22. Line 23, change "226" to "225".

PAGE 97.

Line 3, strike out second ",". Line 4, strike out ".". Line 8, change "227" to "226". Line 9, after "of" insert "the head of"; strike out "county" insert "department, board, body or office"; strike out line 10. Line 11, strike out "officer" after "may", insert ", by order,"; strike out "such board, body or office", insert "such head of department, board, body or office". Line 12, strike out "its or his", insert "the department, board, body or"; strike out "or". Line 13, strike out "mayor deem to have become", insert "shall have determined to be"; after "!" strike out rest of line. Strike out lines 14, 15, 16 and 17, and insert "A copy of the petition, together with a notice of the time of the hearing thereon, shall be filed with the clerk of the appellate division, published in the City Record and served upon the mayor and comptroller at least twenty days prior to such hearing. Such additional notice shall be given to such other officers or persons as the court or a justice thereof may direct." Strike out lines 18, 19, 20, 21, 22, 23, 24 and 25.

PAGE 98.

Strike out all to and including line 17. Line 18, change "231" to "227". Line 19, strike out "city or county".

PAGE 99.

Line 1, strike out second "or" insert "and of". Line 2, strike out " ; " and rest of line, insert ".". Strike out line 3. Strike out line 4, to and including ".". Line 5, after "office" insert " , other than the mayor,". Line 7, after "subordinate" insert "so". Line 12, change "262" to "258". Line 13, change "279" to "280"; between lines 18 and 19, insert "241. Removal of certain city officers." Line 19, change "244" to "241" ; strike out line 21. Lines 24 and 25, strike out. Line 26, change "246" to "244" ; strike out " ; " insert "."; strike out line 27.

PAGE 100.

Line 1, change "247" to "245". Line 2, change "248" to "246". Line 3, change "249" to "247". Line 4, change "250" to "248". Line 5, change "251" to "249". Line 6, change "252" to "250". Line 7, change "253" to "251". Line 8, change "254" to "252". Line 9, change "255" to "253". Line 10, strike out. Line 11, change "257" to "254". Line 12, change "258" to "255". Line 14, change "259" to "256". Line 15, change "260" to "257". Line 16, change "261" to "258". Strike out line 17. Line 23, after "act" insert " ; " ; strike out rest of line; strike out lines 24 and 25.

PAGE 101.

Line 11, strike out "The head of" ; strike out line 12 and line 13 to and including ".". Line 17, after "days" insert "and without explanation during such period". Line 19, after "tunity" insert "therefor" ; between lines 19 and 20 insert "Sec. 241. Removal of certain city officers. The mayor, comptroller, president of the board of aldermen, a borough president or a coroner may be removed by the governor for neglect or dereliction in the performance of official duty or incompetency or incapacity to perform official duty or an act or delinquency seriously affecting his general character or fitness for office." Line 20, change "241" to "242". Line 24, strike out "one year" and insert "two years".

PAGE 102.

Strike out all of section 242. Line 22, strike out first "or" insert ".".

PAGE 103.

Line 5, strike out "date" insert "dates" ; after "his" insert "supension and".

PAGE 104.

Line 2, after "reinstatement" insert "."; strike out rest of line; strike out rest of page.

PAGE 105.

Lines 1 and 2 strike out. Line 3, change "246" to "244", after "employments" insert "."; strike out rest of line. Line 4, strike out "prohibited." At end of line insert "the hours fixed for the performance of duty." Line 5, strike out "his incumbency"; strike out "an", insert "his"; strike out first "or", insert ","; strike out "during his". Line 6, strike out "hold", insert "perform the duties of". Line 8, after "guard" insert "."; strike out rest of line; strike out lines 9, 10, 11, 12. Line 18, change "247" to "245". Line 19, after "act" insert ",". Line 23, change "248" to "246". Line 24, strike out "approval", insert "concurrence".

PAGE 106.

At end of line 2, insert "The board of estimate, with the concurrence of the board of aldermen, may authorize the payment of compensation to employees in the labor class who work more than eight hours in any one day." Line 3, change "249" to "247". Line 4, strike out "ratable". Line 8, strike out "without leave", insert ",". Line 11, change "250" to "248". Line 13, strike out "a leave of absence", insert "an annual vacation". Line 14, strike out "A", insert "An annual". Line 16, strike out "six", insert "nine". Line 17, strike out "city or county". Line 19, after second "," insert "in addition to the annual vacation.". Line 20, change "," to ";". Line 21, after "absence" insert "to a per diem employee". Line 22, after "a", insert "city or county". Line 26, strike out "for a period not exceeding", insert "which shall not exceed", after "days" insert "without the consent of the board of estimate".

PAGE 107.

Line 1, change "251" to "249". Line 2, after "suspend" insert "for not more than one month". Line 5, after "removed", insert "by such head". Line 7, after "not", insert "so". Line 10, change "252" to "250"; strike out "Except as other". Line 11, strike out "to" or "or", insert "Salaries". Line 15, after "the", insert "paymaster.". Line 23, strike out commas. Line 26, change "253" to "251".

PAGE 108.

Line 1, make "office" "officer"; strike out "and", insert "or", after "deeds" insert ",". Line 9, after "tion" strike out ",". Line 13, strike out second ",". Line 14, strike out ",". Line 17, strike out first ",". Line 18, strike out ",".

PAGE 109.

Line 1, change "254" to "252". Line 2, strike out commas. Line 9, strike out commas. Line 13, after "office", insert "position". Line 17, strike out "" at end of line. Line 18, after "office", insert "position". Line 21, change "255" to "253".

PAGE 110.

Line 3, strike out "Whenever", insert "When". Line 7, strike out "such", insert "the", after "." strike out rest of line; strike out lines 8 and 9; strike out all of section 256. Line 21, change "257" to "254".

PAGE 111.

Line 1, change "258" to "255". Line 4, strike out "an officer", insert "the head of a department, board, body or office of the city or a county or a justice of an inferior local court". Line 5, strike out "successful", insert "prevailing"; strike out second "a", insert "an action or" after "proceeding", insert "in a court or before the governor". Line 6, strike out "trial", after comma strike out rest of line; strike out down to "or", line 9. Line 11, after ";" strike out down to ";", line 13. Line 15, strike out "who was such", insert "the". Line 16, strike out comma. Line 17, change "259" to "256". Line 21, strike out comma. Line 24, make "cotrustee" "co-trustee"; strike out "said", insert "such". Line 25, strike out "trustees", insert "a trustee"; strike out "said", insert "such". Line 26, strike out "rules", insert "rights".

PAGE 112.

Line 6, make "cotrustee" "co-trustee". Line 7, strike out "now". Line 11, strike out first comma. Line 13, change "260" to "257". Line 17, after "city" insert "or county". Line 18, change "261" to "258".

PAGE 113.

Strike out lines 1 to 4, inclusive. Between lines 11 and 12, insert "273. Leave of absence." Line 12, change "273" to "274". Line 13, change "274" to "275". Line 14, change "275" to "276". Line 15, change "276" to "277". Line 16, change "277" to "278". Line 17, change "278" to "279". Line 18, change "279" to "280". Line 20, strike out "unanimous", insert "the". Line 21, after "vote" insert "of all of its members". Line 25, strike out "thereof".

PAGE 114.

Line 15, strike out "or incapacity". Line 19, after second "of" insert "the"; strike out "leave of absence", insert "vacation,". Line 20, strike out "or by extra duty". Line 21, after "days" insert "in the police and street cleaning departments and ten days in the fire department"; after comma strike out rest of line. Line 22, strike out "or both,". Line 25, strike out after "department". Line 21, strike out to "shall".

PAGE 115.

Line 6, after period make a new paragraph. "Sec. 273. Leave of absence. No leave ——— etc." Line 7, strike out "any such", insert "an uniformed". Line 9, before "salary" insert "not less than one-half his"; after "salary" insert "or compensation"; strike out comma at end of line. Line 10, strike out "however,". Line 13, change "273" to "274". Line 15, after "force" insert "of the department". Line 21, change "274" to "275". Line 23, strike out "crime", insert "felony". Line 24, after "pension" insert "pending final disposition of the proceeding". Line 25, strike out after period. Strike out line 26.

PAGE 116.

Strike out lines 1 and 2. Line 3, change "275" to "276". Line 6, change "276" to "277". Line 10, change "277" to "278", after "duty" insert "and civil arrest". Line 14, strike out "or," after "duty" insert "."; strike out rest of line. Strike out line 15. Line 16, change "278" to "279". Line 17, strike out "a", insert "the police or fire". Line 20, change "279" to "280".

PAGE 117.

Line 6, strike out comma. Line 14, strike out "any", insert "an". Line 15, strike out "a", insert "an existing". Line 18, after "county" insert ",". Line 19, strike out "is", insert "shall be".

PAGE 118.

Line 10, strike out "equal to", insert "to be fixed by the board, not exceeding, however,". Line 13, after "retirement" insert "."; strike out rest of line. Line 14, strike out to "The". Line 21, after "secretary" insert "; auditors". Line 23, strike out "and demands". Between lines 23 and 24 insert "305. Auditing bureau." Line 24, change "305" to "306"; strike out "unexpended". Line 25, change "306" to "307". Line 26, change "307" to "308"; after "leases" insert period; strike out rest of line. Strike out line 27.

PAGE 119.

Line 1, change " 308 " to " 309 ". Line 19, after " secretary " insert "; auditors ". Line 20, after " secretary " insert " of the department, and may appoint auditors and deputy auditors of accounts ".

PAGE 120.

Line 7, after " city." strike out "All " and insert "The other departments, boards, bodies and offices of the city and each county shall keep accounts and statistical records in such form as the comptroller prescribe; and all accounts rendered to or kept in such departments, boards, bodies and offices shall be subject to the audit, inspection and revision of the officers of the finance department under the general supervision of the comptroller." Strike out lines 8, 9, 10 and 11 to " The ". Line 12, strike out " all such "; strike out comma at end of line and insert " of all public moneys received and disbursed and of all public property,". Strike out line 16 and rest of page.

PAGE 121.

Strike out and insert " Sec. 304. Adjustment of claims; restrictions. Except as otherwise provided in this act, the comptroller shall examine, audit, adjust and settle all claims in favor of or against the city or a county or in which the city or a county is concerned as debtor or creditor. The comptroller may require a person having or presenting a claim against the city or a county or an assignor to be sworn before him or a deputy and to answer orally as to any facts relative to the claim. Claims against the city or a county or claims payable in the first instance from moneys in the city treasury for services rendered or work done or supplies furnished shall not be paid unless an auditor of accounts certify that the charges therefor are just and reasonable, except (1) claims reduced to judgment, or (2) awards, costs, charges and expenses duly taxed or ordered paid in judicial proceedings, or (3) claims arising under provisions of contracts made after public letting, or (4) claims settled and adjusted by the comptroller. The power given to audit, adjust and settle claims shall not authorize the comptroller or a subordinate to dispute the amount of a salary established by statute or by or under the authority of a department, board, body, office or officer authorized to establish the same, nor to question the due performance of duties by an officer or employee, except when necessary to prevent fraud or waste.

Sec. 305. Auditing bureau. There shall be in the department an auditing bureau, which, under the supervision of the comp-

troller, shall have charge of the auditing of claims. The chief officers of the bureau shall be auditors of accounts. There shall also be deputy auditors of accounts who shall, when authorized in writing by the comptroller, perform the duties of auditors of account. The auditing bureau shall keep an account of each claim for and against the city and of the sum allowed on each and certify the same to the comptroller, with the reasons for its action."

PAGE 122.

Strike out all to line 19; insert before line 19, "Sec. 306. Statements of balances. The head of each department, board, body, or office of the city and each county, shall monthly furnish to the comptroller a statement of the balance of each appropriation made for such department, board, body or office remaining after deducting outstanding charges against such appropriation." Line 19, change "306" to "307".

PAGE 123.

Line 1, change "307" to "308"; after "leases" insert "."; strike out rest of line. Line 2, at end of line insert "under the direction of the sinking fund commission.". Line 4, after "property." strike out rest of line; strike out lines 5 to 10, inclusive. Line 11, change "308" to "309". Line 22, strike out "the". Line 23, strike out; insert "Article 1. The Chamberlain.". (Secs. 320-328.) Line 25, change "363" to "362".

PAGE 124.

Line 3, strike out "election"; strike out "salary". Line 12, strike out; insert "328. Assessment defined.". Line 13, strike out "election"; strike out "salary". Line 15, after "secretary" insert "of the department and may appoint a paymaster"; after "." strike out rest of line; strike out lines 16 and 17; strike out "term of four years.", line 18. Line 21, strike out "The". Strike out line 22.

PAGE 125.

Line 8, strike out ":". Line 10, after "city" insert "or for which the city is responsible." Line 14, strike out second ":", insert ";". Line 24, after "chamberlain," insert "or a majority of them,".

PAGE 126.

Line 4, at end of line insert "mayor, comptroller and chamberlain, or a majority of them." Line 5, strike out "board of estimate." Line 25, strike out "surety".

PAGE 127.

Between lines 5 and 6 insert " Except as otherwise provided in this act, moneys appropriated in the annual budget or by a special appropriation shall be expended only in accordance with the conditions governing such expenditure, if any, fixed by the board of estimate and contained in such budget or special appropriation. No payment shall be made from appropriations made in the budget for emergencies unless authorized by the vote of members of the board of estimate entitled to cast at least twelve votes. Payments to heads of departments, boards, bodies or offices of sums appropriated for petty cash purposes shall be made in such installments as the board of estimate determine, and a second or further installment shall not be paid until the expenditures made from the preceding installment shall have been fully accounted for and approved by the comptroller." Line 10, after " warrants " insert ";". Line 14, after " name " insert ", except clerks transferring funds from one depository to another." Line 17, strike out second ",". Line 19, strike out ",". Line 20, strike out ",".

PAGE 128.

Line 6, after " accounts " insert " and vouchers "; after " shall " insert " be examined quarterly by the commissioner of accounts and statistics and his accounts shall ". Line 7, after " December " insert "."; strike out rest of line. Strike out line 8. Line 9, strike out " counts and statistics. Such "; insert " The "; strike out " or commissioners shall.". Strike out lines 10 and 11. Line 12, strike out first word. Line 15, strike out " such "; insert " the preceding calendar.". Line 18, after " comptroller " insert " and whether the comptroller had power by law or ordinance to draw such warrants.". Line 20, strike out " such " and insert " the least ". Line 23, at end of line insert ",". Strike out line 23.

PAGE 129.

After line 2, strike out all of page and insert " If the commissioner find that warrants of the comptroller have been drawn without authority of law or ordinance, he shall specify the same with the reasons for such finding."

" § 328. Assessment defined. 'Assessment' wherever used in this chapter means an assessment for a local improvement."

PAGE 130.

Line 17, after " of " insert " certain "; after " assessments " strike out rest of line. Line 20, strike out " Part payment of assessment; ", insert " Payment of assessment by ". Line 21,

strike out. Line 22, change "356" to "353". Line 23, change "357" to "356". Line 24, change "358" to "357". Line 25, change "359" to "358". Line 27, change "360" to "359".

PAGE 131.

Line 1, change "361" to "360". Line 3, change "362" to "361". Line 5, change "363" to "362". Line 13, strike out ",".

PAGE 132.

Line 1, strike out "shall".

PAGE 134.

Line 20, after "of" insert "the". After "rents" strike out rest of line.

PAGE 135.

Line 5, strike out "August" insert "July". Line 10, after "record" insert "; but a judgment recovered in such an action shall not be a lien on or chargeable against real property". Line 14, strike out first ",". Line 16, strike out ",". Line 17, strike out "or persons".

PAGE 136.

Line 12, strike out ",". Line 15, strike out second ",". Line 16, strike out ",". Line 17, after "arrears," insert "and of the time or times of payment and rate or rates of interest fixed therefor pursuant to this act, and that interest thereon will be collected accordingly." Strike out "and that unless the". Strike out lines 18, 19, 20, 21.

PAGE 137.

Line 3, make "lists" "list". Line 10, strike out comma. Line 12, strike out third comma. Line 14, strike out comma. Line 15, strike out comma. Line 18, strike out comma. Line 20, after "of" insert "certain"; strike out "for local improvements". Line 22, strike out "nineteen", insert "eighteen"; after "and" insert "ninety". Line 25, after second "be" insert "received"; strike out "col-".

PAGE 138.

Line 1, strike out "lected". Line 2, after "rears," insert "and the collection thereof enforced as provided in this act for other tax liens." Strike out rest of line 2. After line 9, strike out rest of page and insert: "Sec. 354. Payment of assessment by installments. The board of estimate may determine that the expense of a local improvement to be assessed upon the property deemed bene-

fitted be payable in not to exceed five equal annual installments. If the board so determine, the first installment shall become due and payable as provided in this act for an assessment payable in one payment. Of the remaining installments, one shall become due and payable annually thereafter on the same date as the date of entry of the assessment in the record of titles of assessments, with interest thereon at the rate of five per centum per annum from the date the assessment became a lien."

PAGE 139.

Strike out lines 1 and 2. Line 3, strike out "payment thereof each", insert "an installment to become due and payable such installment, if". Line 4, strike out "installment". After line 11, strike out rest of page.

PAGE 140.

Strike out to line 6. Line 6, change "356" to "355". Line 9, strike out ", also", insert "and". Line 10, strike out comma. Line 11, strike out "of money so". Line 13, after "residue" insert "only"; after "property" strike out "only". Line 14, strike out first comma. Line 16, strike out "said", insert "the". Line 18, change "357" to "356".

PAGE 141.

Line 7, change "358" to "357". Line 9, strike out second comma. Line 10, strike out "his", insert "a". Line 11, strike out comma. Line 13, strike out comma.

PAGE 142.

Line 3, change "359" to "358". Line 6, strike out "are", insert "be entries on the tax roll of". Line 12, after "lien," insert "or an installment shall have become due". Line 15, at end of line insert "Failure to insert the word arrears in a tax bill shall not affect the validity or collectibility of any item in arrears or impose any liability upon the city or any officer or employee." Line 16, change "360" to "359"; strike out "Interest", insert "Unless otherwise provided in this act interest". Line 21, strike out "Un-". Line 22, strike out "less otherwise provided herein the", insert "The". Line 25, change "361" to "360".

PAGE 143.

Line 9, change "362" to "361". Line 15, change "363" to "362". Line 19, strike out comma. Line 20, strike out comma. Line 21, strike out comma. Line 23, after "register" insert "such particulars"; after "him" insert "."; strike out rest of

line; strike out line 24. Line 25, strike out "his post-office address".

PAGE 144.

Line 3, strike out "at his registered post-office address". Line 4, after "registered" insert "at his registered post-office address containing"; strike out rest of line. Line 5, strike out "tain". Line 5, after "property" insert ","; strike out rest of line. Line 6, strike out "of such person, together with". Line 7, strike out "and a statement of". Line 8, strike out comma. Line 11, strike out comma.

PAGE 145.

Line 10, strike out ";", insert ",". Line 12, strike out "Persons interested may question transfers", insert "Transfers". Line 13, after "liens" insert "may be questioned". Line 22, strike out "receive", insert "enforce payment of". Line 23, strike out first and second commas. Line 24, strike out comma; strike out "herein", insert "in this chapter".

PAGE 146.

Line 2, strike out "Whenever", insert "When". Line 3, strike out comma. Line 6, after "for" insert "a", make "improvements" read "improvement", before "or" insert "not payable in installments". Line 9, after "arrears" insert "or an installment of an assessment for a local improvement shall have remained unpaid for three years after the same shall have become due and payable". Line 11, strike out comma. Line 12, make "lien" "liens". Line 13, after "ment" insert "prior"; strike out comma. Line 15, strike out comma. Line 16, strike out comma. Line 17, strike out comma. Line 21, strike out comma. At end of line 26 insert "Such notice of sale of tax liens shall be published once in each week successively for three months in the City Record, and the advertisement shall contain, appended to the notice, a statement of the property the tax liens on which are to be sold; or the statement, instead of being published in the City Record, may, at the option of the chamberlain, be printed in a pamphlet in which case copies of the pamphlet shall be deposited in the office of the collector and shall be delivered to any person applying therefor. The published notice of sale shall state that such statement is published in the City Record or in pamphlet, and if in pamphlet that copies of the pamphlet are deposited in the office of the collector and will be delivered to any person applying for the same. No other notice to pay or of sale of tax liens shall be required."

PAGE 147.

Line 3, strike out "such", insert "the". Line 4, strike out commas. Line 6, strike out first comma. Line 9, strike out "Such notice". Lines 10, 11, 12 and down to and including line 22, strike out. Line 27, strike out "and", insert "or"; strike out commas.

PAGE 148.

Line 1, strike out second comma. Line 6, strike out comma. Line 10, strike out comma. Line 13, strike out comma. Line 14, strike out "said", insert "the"; make "auctioneers'" "auctioneer's". Line 20, strike out commas. Line 22, strike out second "of", insert "for". Line 24, strike out comma.

PAGE 149.

Line 4, after "same." strike out. Line 5, strike out "the city, the", insert "The". Line 9, strike out "said"; strike out commas. Line 12, strike out "so". Line 15, strike out "said", insert "the". Line 21, strike out comma. Line 24, strike out "may"; strike out comma.

PAGE 150.

Line 1, strike out "as aforesaid". Line 2, strike out "of the city", insert "for the reduction of taxation". Line 7, strike out comma. Line 12, strike out second comma. Line 15, strike out "for", insert "of". Line 18, strike out first comma. Line 22, strike out comma. Line 25, strike out comma.

PAGE 151.

Line 1, after "or" insert ",". Line 3, strike out "by the". Line 4, strike out "city". Line 10, strike out comma. Line 11, strike out "Assignments", insert "An assignment"; strike out comma. Line 13, strike out third comma; strike out "may", insert "shall". Line 15, at end of line insert "No assignment of a transfer of tax lien shall become effective until the assignment be filed with the collector of assessments and arrears and a memorandum or entry thereof made on the sales record. Such assignments shall have priority according to the date of filing and record." Line 17, strike out second comma. Line 19, after "situated" insert "; but the absence of such record shall not affect the validity or enforceability of the lien or transfer of tax lien". Line 25, strike out comma; strike out ":", insert ",". Line 26, after "lien" insert ", copy of a transfer of tax lien".

PAGE 152.

Line 4, strike out "record". Line 26, strike out comma.

PAGE 153.

Line 2, strike out second comma. Line 4, strike out comma. Line 7, after “.” insert “If the holder of a transfer of tax lien cannot be found at his address filed and recorded with the collector of assessments and arrears or decline to receive interest within twenty days after the same become due such interest may be paid to the collector of assessments and arrears within thirty days after it became due and shall be received by him for the benefit of the holder of the tax lien. The collector of assessments and arrears shall give notice of such payment by mail to the tax lien holder of record.” Line 11, strike out comma. Line 14, strike out comma. Line 15, strike out comma. Line 19, strike out commas. Line 24, strike out “In case”, insert “If”.

PAGE 154.

Line 1, strike out comma. Line 3, strike out comma. Line 7, strike out second comma. Line 8, strike out “the”, insert “his”; strike out “of such person”. Line 15, strike out comma; strike out second “the”, insert “his”. Line 16, strike out “of the purchaser”. Line 22, strike out comma.

PAGE 155.

Line 1, strike out comma. Line 4, strike out comma. Line 5, strike out comma. Line 6, strike out “the same”. Line 9, strike out comma. Line 13, strike out comma. Line 24, strike out “such”, insert “the”. Line 26, strike out commas.

PAGE 156.

Line 4, strike out comma. Line 10, after period insert “Where the city is made a party to an action to foreclose a tax lien the summons served upon the city shall be accompanied by the complaint.” Line 18, strike out second “New York”. Line 22, strike out second “New York” and comma. Line 25, strike out last word. Line 26, strike out “New York”; strike out “said”.

PAGE 157.

Line 2, strike out “New York”. Line 4, strike out second “New York”. Line 6, strike out second comma. Line 8, strike out comma. Line 17, strike out comma. Line 19, strike out comma. Line 12, strike out comma. Line 15, strike out comma. Line 19, strike out comma. Line 22, strike out “specifically”; strike out comma, insert “in detail”.

PAGE 158.

Line 1, strike out comma. Line 3, strike out comma. Line 12, strike out comma. Line 14, strike out commas. Line 16, strike out comma. Line 17, strike out comma. Line 19, strike out comma. Line 22, strike out comma.

PAGE 159.

Line 2, strike out first comma. Line 3, strike out "are", insert "have been". Line 7, strike out comma. Line 8, strike out comma. Line 22, strike out comma. Line 23, strike out comma. Line 24, strike out comma; after "and" insert "after". Line 27, strike out commas.

PAGE 160.

Line 2, strike out comma. Line 3, strike out first and second commas. Line 4, strike out second and third commas. Line 5, strike out comma. Line 15, strike out commas. Line 16, strike out comma. Line 17, strike out comma. Line 18, strike out comma. Line 20, strike out second comma. Line 23, strike out comma. Line 24, strike out comma. Line 26, strike out comma. Line 27, strike out comma; strike out "for", insert "of".

PAGE 161.

Line 6, after "at" insert "the rate of"; after "centum" insert "per annum"; strike out "shall". Line 9, make "reaches" "reach". Line 10, strike out comma. Line 11, strike out comma. Line 13, strike out "; if", insert ". If". Line 19, strike out comma. Line 25, strike out comma. Line 26, strike out comma.

PAGE 162.

Line 5, strike out comma. Line 7, strike out comma. Line 8, strike out comma. Line 10, strike out comma. Line 11, strike out comma. Line 13, strike out comma; after "or" insert ",". Line 16, strike out comma. Line 21, strike out second comma. Line 25, strike out comma.

PAGE 163.

Line 1, strike out commas. Line 2, strike out second comma. Line 4, strike out comma. Line 7, strike out comma. Line 8, strike out comma. Line 11, strike out comma. Line 17, strike out comma. Line 18, strike out comma. Line 20, strike out "Persons interested may question transfers", insert "Transfers"; after "liens" insert "may be questioned". Line 24, strike out comma.

PAGE 164.

Line 2, strike out last comma. Line 4, strike out comma. Line 13, strike out comma. Line 16, strike out second comma. Line 23, strike out comma. Line 26, strike out comma.

PAGE 165.

Line 4, strike out comma after "and", insert ","; after "chamberlain" insert ",". Line 7, strike out second comma. Line 11, strike out first comma. Line 12, strike out second comma; strike out "any", insert "a". Line 19, strike out comma. Line 23, strike out "a"; strike out comma.

PAGE 166.

Line 1, strike out "any", insert "an". Line 2, strike out second comma. Line 5, strike out comma. Line 6, strike out first comma. Line 11, strike out comma. Line 16, strike out first comma. Line 18, strike out comma. Line 21, strike out comma.

PAGE 167.

Line 5, strike out comma. Line 6, strike out comma. Line 7, strike out comma. Line 8, after "counsel" insert ",". Line 9, after "section" insert ","; strike out commas. Line 10, strike out comma. Line 12, strike out comma. Line 14, strike out comma. Line 19, strike out comma. Line 21, strike out "any", insert "an". Line 21, strike out comma; strike out "a tax", insert "it". Line 22, strike out "lien". Line 23, strike out first comma. Line 25, strike out "said", insert "the".

PAGE 168.

Line 5, strike out "of tax-lien". Line 13, strike out second comma. Line 14, at beginning of line insert ","; after "fact" insert comma. Line 16, strike out commas. Line 17, strike out "in his discretion.". Line 26, strike out comma.

PAGE 169.

Line 3, strike out "the said", insert "such"; after "transfers" insert "."; strike out "of tax". Line 4, strike out "liens." Line 12, strike out "in the same manner". Line 14, strike out "have", insert "had". Line 20, strike out comma. Line 25, strike out comma.

PAGE 170.

Line 12, strike out ","; insert ",". Line 16, strike out "what it consists of".

PAGE 171.

Line 6, at end of line insert period; strike out line 7; strike out line 10. Line 20, after "secretary" insert "of the department"; strike out "an assistant secretary". Line 21, after "ant" insert "to each"; after "and" insert "may appoint tax appraisers."; strike out balance of line. Also strike out lines 22, 23, 24 and 25.

PAGE 172.

Line 1, strike out "from which appointed."; strike out "deputy", insert "tax appraiser". Line 2, strike out "assess", insert "appraise and enter in the assessment roll for the purpose of assessment". Line 4, at end of line insert ",". Line 6, strike out comma. Line 13, at end of line insert "The title deputy tax commissioner is changed to tax appraiser. Each tax commissioner and assistant may administer oaths.". Line 16, strike out ".", insert ",".

PAGE 173.

Line 3, strike out "is", insert "shall have been". Line 24, strike out "tax".

PAGE 174.

At end of page, strike out ":".

PAGE 175.

Line 4, after period make new paragraph. Line 9, strike out comma. Line 10, strike out comma. Line 21, strike out commas. Line 24, strike out comma. Line 25, strike out comma.

PAGE 176.

Line 10, strike out "tax". Line 12, strike out commas.

PAGE 177.

Line 24, strike out comma.

PAGE 178.

Line 16, strike out "tax". Line 18, strike out ", what it consists of". Line 21, strike out "tax". Line 22, strike out "deputy commissioner", insert "tax appraiser". Line 23, strike out "herein"; after "provided" insert "in this chapter". Line 26, strike out "such", insert "the".

PAGE 179.

Line 2, at end of line insert "in each year". Line 5, strike out ", in each year". Line 8, strike out ", in each year". Line 10,

strike out “, in each year”. Line 11, after “ following ” insert period; strike out “ in ”, insert “ They shall be open ”. Line 12, strike out “ each year,”.

PAGE 180.

Line 10, at end of line insert “ The department, within five days thereafter, shall cause written notice of such apportionment to be mailed to each owner of record of the real property so assessed, at his last known residence or business address, and an affidavit of the mailing of such notice to be filed in the main office.”. Line 25, strike out comma.

PAGE 181.

Line 6, strike out comma. Line 16, strike out period, insert “;”. Line 25, strike out “.”, insert “;”.

PAGE 182.

Line 3, strike out “.”, insert “;”. Line 11, strike out “.”, insert “;”. Line 4, after “ made ” insert “ in the year preceding that for which the assessment is made ”. Line 10, strike out “ when the books are open,”.

PAGE 183.

Line 2, strike out “ any ”. Line 7, after “ given ” insert “ by Mail ”. Line 22, strike out “ kept in ”, insert “ of ”.

PAGE 184.

Line 14, strike out “ which consists of a clear copy of ”, insert “ from ”. Line 15, after “ divided ” insert “ and containing entries with respect to assessments required by this chapter to be entered in the assessment roll,”. Line 18, make “ column ” “ columns ”. Line 23, strike out “ as ”, insert “ at ”.

PAGE 186.

Line 7, strike out “ two ”, insert “ four ”.

PAGE 187.

Line 20, after “ assessments ” insert “.”; strike out “ for ”. Line 21, strike out “ purposes of taxation.”.

PAGE 190.

Line 2, strike out “ and counsel ”; strike out all of section 435. Line 17, strike out “;”, insert “.”; strike out “ re-”; strike out line 18; strike out line 21. Line 22, change 456 to 455. Line 24,

change 457 to 456. Line 25, change 458 to 457; after "instruments" insert "; examination of titles". Line 26, change 459 to 458.

PAGE 191.

Line 1, change 460 to 459. Line 3, change 461 to 460. Line 4, change 462 to 461. Line 5, change 463 to 462; after "Satisfaction" insert "and assignment". Line 7, strike out "conduct all law busi-". Line 8, strike out "ness of, and"; strike out "for", insert "of". Line 20, strike out "The"; strike out line 21. Line 22, strike out "Each", insert "When authorized by the corporation counsel each". Line 23, after "or" insert "so much of". Line 24, after "delegate" insert "to him. Such authorization shall be in writing"; strike out "by written au-". Line 25, strike out "thority"; strike out comma.

PAGE 192.

Line 9, after "department," insert "board, body,". Line 11, strike out ";;", insert "."; strike out "restric-". Line 12, strike out to "The". Line 17, strike out ";;", insert "."; strike out rest of line and lines 18, 19 and 20; strike out rest of page and insert "§ 453. Claims, actions and judgments; settlements of. The corporation counsel shall have exclusive jurisdiction of the investigation of all claims, actions and judgments for or against the city or a county on account of destruction of or injury to property or for personal injuries or for death. After commencement of an action thereon a claim upon an express or implied contract and all papers together with a statement of all facts relating thereto, shall, upon the request of the corporation counsel, be transmitted to him by the comptroller. Settlement of a claim, action, proceeding or judgment by the corporation counsel by confession of judgment, acceptance of offer of judgment or otherwise, shall be subject to the written approval of the comptroller and if the amount be more than ten thousand dollars also to the written approval of the mayor."

PAGE 193.

Strike out all to line 16. Line 17, strike out "which". Line 18, strike out to "or". Line 20, strike out "to the justness of such", insert "thereto". Line 21, strike out "claim". Line 22, strike out "claimant", insert "person injured". Line 25, strike out "claimant", insert "person".

PAGE 194.

Strike out all to line 20. Line 20, change 456 to 455. Line 22, strike out "litigation", insert "proceedings". Line 24, make "assistant" "assistants". Line 25, strike out "city".

PAGE 195.

Line 3, strike out "litigation", insert "proceedings". Line 6, change 457 to 456. Line 9, make 458 457; after "instruments" insert "; examination of titles"; strike out "The", insert "Except as otherwise provided by law, the". Line 12, strike out comma, insert ";"; strike out "except as otherwise prescribed by law; pro-" and insert "and shall examine or cause to be examined and approve the title to all real property purchased by the city"; strike out lines 13 and 14. Line 15, change 459 to 458. Line 21, change "460" to "459". Line 22, after "No", insert "city".

PAGE 196.

Line 3, change 461 to 460. Line 10, change 462 to 461. Line 11, strike out "acting", insert "assistant, when authorized by the". Line 13, after "pleading" insert "in an action or a petition in a special proceeding". Line 14, change 463 to 462; after "Satisfaction" insert "and assignment"; strike out "piece". Line 16, strike out "acting", insert "assistant". Line 17, after "counsel" insert ", when authorized by the corporation counsel,". Line 21, strike out "; deputy; salary". Line 22, strike out "General powers", insert "Powers"; strike out "of city engineer". Line 23, after "map" insert "and drainage plan"; strike out line 24. Line 25, change 474 to 473. Line 26, change 475 to 474; strike out line 27.

PAGE 197.

Line 1, strike out first ";", insert "."; strike out "deputy; salary.". Line 2, strike out ";". Line 3, strike out "He shall appoint a deputy."; strike out section 471 and insert "§ 471. Powers and duties. The city engineer shall

1. Be the engineer of the board of estimate and perform such duties as the board of estimate, the mayor or sinking fund commission may require of an engineer;

2. Make such investigations, plans, specifications, estimates and inspections relative to general improvements, as may be required by the board of estimate;

3. Examine, test, analyze and certify all apparatus, appliances and materials used or to be used in the construction of a general improvement, or which may be referred to him by the head of a department, board, body or office of the city or a county;

4. At the request of the head of a department, board, body or office of the city or a county, act as sole engineer in reference to any work or improvement under the control or charge of such department, board, body or office;

5. Approve the plans and specifications for general improvements;

6. When requested by the board of estimate, prepare and submit standard forms of contract for public work. The certificate of the city engineer as to the result of an examination, test or analysis made by him shall be conclusive as to the city." Line 11, after "map" insert "and drainage plan". Line 12, after "map" insert "and drainage plan"; strike out "as shall have". Line 13, strike out "been". Line 14, after "map" insert "and drainage plan". Line 19, change 474 to 473. Line 20, after "mark" insert "by suitable monuments". Line 21, after "city" insert "or"; strike out rest of line; strike out line 22. Line 23, strike out to "other". Line 24, strike out ",", insert "."; strike out rest of line. Line 25, change 475 to 474; strike out "It shall be lawful for the", insert "The".

PAGE 198.

Line 1, strike out " , to "; strike out section 476. Line 17, change 534 to 535. Line 19, change 567 to 566.

PAGE 199.

Line 1, strike out "no separate corporate exist-" insert "A city department."; strike out line 2. Lines 3 and 4, strike out and insert "483. Board of Education; commissioners." Line 4, strike out " , "; insert " , ". Line 6 strike out. Line 7, change "486" to "485". Line 8, change "487" to "486". Line 9, change "488" to "487". Between lines 9 and 10, insert "§ 488. By-laws, rules and regulations continued." Line 20, after "examiners", insert " , the supervisor of lectures". Line 24, strike out first "and", insert " , ".

PAGE 200.

Line 2, strike out " , and the "; strike out line 3 and insert "is abolished at midnight of the thirty-first day". Line 4, strike out "September" insert "December". Line 8, after " ." strike out, insert "The department of education as hereby constituted shall succeed to the". Line 9, strike out "in this act, all". Line 11, after "New York" insert " . "; strike out rest of line; strike out lines 12 and 13. Line 14, strike out "no separate corporate existence" insert "a city department". Line 15, strike out comma. Line 16, strike out "seven" and insert "fifteen". Strike out lines 19 to 26 and insert "§ 483. Board of education; commissioners. The mayor shall appoint the members of the board, of whom one shall be president and be so designated in his

appointment. They shall be appointed from the several boroughs in such manner that there shall be at least five for the borough of Manhattan; four for the borough of Brooklyn; two for the borough of Bronx and one for each of the boroughs of Queens and Richmond. During the month of December, nineteen hundred and eleven, the mayor shall appoint fifteen commissioners whose terms of office shall begin on the first day of January, nineteen hundred and twelve. The board shall be divided by the mayor into three classes, each to consist of five commissioners. The term of office of the commissioners of the first class shall be two years, of the second class four years and of the third class six years. In making such appointments the mayor shall designate the term for which each commissioner is to serve. The term of office of a commissioner thereafter appointed for a full term shall be six years. Commissioners of education shall serve without compensation except that the president shall receive an annual salary of twelve thousand dollars. A vacancy shall be filled for the balance of the unexpired term. The removal of a commissioner from the borough for which he was appointed shall vacate his office. The board shall from its members elect a vice-president who shall in the absence or disability of the president act as president."

PAGE 201.

Strike out lines 1 to 8. Line 10, strike out "and", insert ",". Line 11, after "meetings" insert "and appoint its standing committees"; strike out section 485. Line 18, change 486 to 485. Line 19, after "for" insert "or in connection with". Line 20, strike out second comma. Line 21, strike out last comma. Line 23, change 487 to 486.

PAGE 202.

Line 10, at end of line insert "assistant directors,". Line 11, after second "and" insert ", upon like recommendation,". Line 15, make "boad" "board". Line 20, after "he" insert "is or". Line 21, strike out "five" and insert "twelve". Strike out line 25.

PAGE 203.

Strike out lines 1 and 2. Line 3, change 9 to 8 line; strike out lines 5, 6, 7 and 8 and insert "9. To fix the salaries of all officers and employees, including members of the supervising and teaching staffs subject to the approval of the board of estimate and the board of aldermen;". Line 11, change 11 to 10; strike out "janitors and"; after "janitors" strike out comma and insert "and janitors". Line 12, change 12 to 11. Line 13, after "to" insert "appoint, promote and"; after "transfer" strike

out line and insert "members of the teaching staff;"; strike out line 14. Line 15, change 13 to 12; after "position" strike out line; strike out line 16 to "the incumbent". Line 17, after "absent" insert "for more than ten days". Line 18, strike out "such" insert "the"; strike out lines 19 and 20. Line 21, change 15 to 13; strike out "enact" insert "adopt". Line 25, strike out "lating" insert "late"; strike out "defining" insert "define"; strike out "all" insert "the"; strike out "respective". Line 26, after "poyees" insert "of the department"; strike out "of all" insert "the".

PAGE 204.

Line 1, strike out "regulating", insert "regulate"; strike out "any", insert "a". Line 2, strike out to "school", insert "appropriated"; strike out "providing", insert "provide". Line 3, strike out after period; strike out lines 4, 5, 6, 7. Line 8, change "16" to "14". Line 9, strike out "such manufactured". Line 10, strike out "or other", insert "the"; strike out line after "of". Line 11, strike out "and truant", insert "the"; strike out "day or evening.". Line 13, change "17" to "15". Strike out "assign each", insert "After consultation with the city superintendent to assign"; make "superintendent" "superintendents"; strike out "perform"; after "duty" insert "."; strike out "con-"; strike out line 14. Line 15, change "488" to "487". Line 16, after "secretary" insert "of the department". Line 18, strike out commas. Line 19, after "supplies," insert "each of whom shall hold office for a term"; strike out last comma, insert "but". Line 20, strike out "each of whom". Line 21, strike out "with pay", insert ", with or without compensation,". Line 22, do not begin a new paragraph with line 23. At end of page insert "§ 488. By-laws, rules and regulations continued. The by-laws, rules and regulations now in force, not inconsistent with statute, shall continue until changes."

PAGE 205.

Line 5, strike out "school", insert "local". Line 6, strike out "pay", insert "compensation". Line 7, strike out "school". Line 9, strike out "January", insert "February". Line 11, strike out comma; strike out "wholly". Line 12, strike out "wholly". Line 13, strike out "Wholly", twice occurring. Line 14, strike out "wholly". Line 17, after "thereafter", strike out line, insert "redistrict each". Line 18, strike out "such". Line 19, after "districts" strike out line. Line 22, strike out "president of the" at end of line, before period insert "president".

PAGE 206.

Line 1, strike out "presi-". Line 2, strike out "dent"; after "borough" insert "president". Line 3, strike out first comma. Line 6, strike out "following", insert "preceding". Line 9, at end of line, insert "by the borough president". Line 11, strike out "by a rearrangement.". Line 13, strike out "by the rearrangement", insert "thereby". Line 14, strike out commas. Line 18, strike out "And the", insert "The". Line 21, strike out "school", insert "local". Line 22, strike out "pay", insert "compensation"; line 23, strike out "pay", insert "compensation". Line 24, before "shall" insert "each"; strike out "residents" insert "a resident"; strike out "districts", insert "district". Line 25, strike out "they are", insert "he is"; after period strike out rest of line. Line 26, strike out to "A".

PAGE 207.

Line 2, make "excepting" "except". Line 3, strike out "school". Line 6, strike out ":",. Line 7, strike out "in". Line 9, strike out commas. Line 11, strike out "immediately", insert "promptly". Line 13, strike out "immediately", insert "promptly". Line 15, after "circumstances" strike out to ":",. Line 16, strike out first comma. Line 22, strike out "shall". Line 24, after "boards" strike out, insert "may". Line 25, strike out to "take"; before "testimony.", insert "proof and". Line 26, strike out "school"; strike out "upon such", insert "as to"; strike out "the".

PAGE 208.

Line 1, strike out "penalty"; strike out "imposed therefor". Line 2, strike out first comma. Line 3, after "board" insert period; strike out rest of line. Line 4, strike out to "The". Line 14, strike out comma. Line 15, strike out "shall"; strike out comma. Line 16, strike out "as soon as such vacancies occur". Line 21, strike out comma. Line 26, strike out at end of line 27, add "fications".

PAGE 209.

Line 6, strike out "assignment and duties.", insert "inspectors; directors of special branches." Line 11, make "corrections" "correction". Line 18, strike out "such number of". Line 20, after "branches", first occurring, strike out comma, insert "and"; strike out "and member of". Line 21, strike out to ":",; strike out "a supervisor", insert "assistant supervisors". Line 23, after "libraries" insert "and may appoint

inspectors and assistant inspectors"; strike out "when authorized or di-". Line 24, strike out "rected".

PAGE 210.

Line 1, strike out "any" insert "an". Line 4, strike out "at least". Line 5, strike out first comma. Line 13, strike out "in the schools of the city". Line 15, strike out "for a borough". Line 17, strike out "election" insert "appointment". Line 21, strike out "; (a) A" insert "a". Line 22, strike out ";"; strike out "(b)". Line 24, strike out ";" at end of line insert "who has not been". Line 25, strike out "(c)"; strike out "that" insert "the"; strike out "with" insert "for"; strike out " " at end of line and insert "."; strike out line 26.

PAGE 211.

Line 5, strike out comma; strike out "such". Line 7, strike out comma after "instruction" insert "."; strike out "as the". Line 8, strike out "board direct."; strike out comma. Line 10, strike out comma. Line 11, strike out comma; strike out "such". Line 13, after period strike out line. Line 14, strike out to "The" and insert "He shall consult with the board of education as to the assignment to duty of associate superintendents, and shall assign to duty district superintendents and other members of the supervising staff, in accordance with the by-laws of the board of education. He may call together members of the supervising and teaching staffs for consultation and instruction. He shall prescribe suitable registers, blanks, forms and regulations for the making of reports by the members of the supervising and teaching staffs. He shall have a seat in the board of education and the right to speak on all matters before the board, but not the right to vote." Line 25, after "board" insert "of education".

PAGE 212.

Line 5, after "board" insert "of education". Line 6, strike out first comma. Line 7, strike out comma. Line 8, make ".";". Line 9, after "board" strike out comma, insert "of education". Line 10, strike out "to recommend" insert "prepare". Line 11, after "taught" insert "which shall be minimum requirements in each subject;". Line 12, strike out comma. Line 13, change "." to ";". Line 14, after "board" insert "of education". Line 15, before "inspectors" insert "assistant directors". Line 16, after "qualifications" strike out line, insert "necessary to render an applicant eligible for examination by the board of examiners;". Line 17, strike out. Line 19, make ".".

“;”. Line 20, after “board” insert “of education”. Line 21, make “.” “;”. Line 24, make “.” “;”.

PAGE 213.

Strike out and insert “§ 516. District superintendents; inspectors; directors of special branches. Subject to the by-laws of the board of education and, as assigned by the city superintendent, district superintendents, inspectors, and directors of special branches, shall examine pupils and instruct the members of the teaching staff and shall report to the city superintendent. Each district superintendent shall also report to the local school board within a district, and through a city superintendent to the board of education, any case of gross misconduct, neglect of duty, insubordination or general inefficiency arising in such district on the part of any member of the teaching staff within his jurisdiction.”

PAGE 214.

Strike out to line 7. Line 10, make “examinations” “examination”; strike out second comma. Line 12, before “principal” insert “supervisor of lectures,”; at end of line insert “principal of or teacher in a”. Line 15, strike out comma. Line 17, after “list” insert “as determined by competitive examination”. Line 20, strike out third “the”. Line 21, after “lists” insert “as determined by competitive examination”; strike out “education” insert “superintendents”. Line 24, make “Nomination” “Nominations”. Line 26, after “education” insert “on the nomination of the board of superintendents”.

PAGE 215.

Line 2, strike out second comma. Line 5, strike out comma. Line 10, strike out “borough”, insert “county”. Line 11, strike out “borough”, insert “county”. Line 12, strike out last comma. Line 16, strike out comma. Line 17, strike out comma. Line 18, strike out comma. Line 19, strike out comma. Line 20, strike out comma.

PAGE 216.

Line 2, strike out “of schools”; after “examiners” insert “.”; strike out “of the”. Line 3, strike out to “The” and insert “The salaries of teachers in such institutions shall be not less than the lowest salary provided for a regular teacher in the elementary schools in accordance with the provisions of this act.”; strike out lines 7 and 8 to “One” and insert “There shall be a board of examiners consisting of five members. The four present

appointive members of the board of examiners shall continue as members of such board until the expiration of their respective terms. The members of the board of examiners shall be appointed by the board of education from eligible lists prepared by the municipal civil service commission after competitive examination, in accordance with the rules of the commission; but an appointive member of the present board shall be eligible for reappointment without such examination." Line 11, strike out comma. Line 12, strike out comma. Line 15, strike out "chairman of the board of examiners", insert "city superintendent". Line 16, strike out last comma. Line 19, strike out "of schools". Line 20, before "The" insert "A permanent license shall not be issued to a person who is not a citizen of the United States.". Line 23, after "must" strike out, insert "a". Line 26, strike out "in the schools".

PAGE 217.

Line 1, strike out "of the city"; strike out "; (b)", insert "or". Line 2, strike out "for a borough". Line 3, strike out comma. After period, line 4, strike out to "The", line 6. Line 9, strike out "which are used in the city,". Line 11, after period strike out "-" and strike out all to "The", line 15. Line 18, strike out comma. Line 19, strike out comma. Line 20, strike out "and", insert ",". Line 21, strike out "Such eligible lists" and insert "The board of education may determine whether eligible lists be merged."; strike out lines 22, 23, 24, 25.

PAGE 218.

Strike out to "No", line 6. Line 9, strike out the first "the", insert "such"; strike out "of the said last two years". Line 14, strike out after period. Line 15, strike out to "state", insert "The"; after "education" insert "may, for cause, revoke a permanent license". Line 17, after "thereof," insert "the city superintendent,"; strike out "or". Line 18, strike out comma. Line 20, make "visory" "vising"; strike out "their", insert "his or its"; strike out comma. Line 21, after "or" insert "general". Line 24, strike out comma. Line 26, make "visory" "vising"; strike out "within his district", insert "under his jurisdiction".

PAGE 219.

Line 1, strike out comma. Line 4, strike out comma. Line 7, strike out last comma. Line 8, before "fine" insert "reprimand,". Line 10, strike out "five" and insert "ten". Line 12, strike out "final"; strike out comma. Line 13, strike out last comma. Line 17, strike out "supervisory", insert "supervising". Between lines 24 and 25 insert "531. Permanent teachers' re-

retirement fund. 532. Board of retirement.”. Line 25, change “531” to “533”. Line 26, change “532” to “534”.

PAGE 220.

Line 1, strike out. Line 2, change “534” to “535”; after “expenses” insert “.”; strike out rest of line; strike out line 3. Line 9, strike out comma. Line 10, strike out comma. Line 12, strike out last comma. Line 16, strike out “make”, insert “direct”. Line 18, strike out “a.” and do not make paragraph. Line 23, strike out “b.” and do not make paragraph. Line 24, strike out comma. Line 25, strike out to “of the”. Line 26, strike out comma.

PAGE 221.

Line 3, strike out first comma, insert “forfeited or deducted”. Line 5, strike out “. The”, insert “, certified monthly by the”. Line 7, strike out “shall each certify monthly”. Line 8, after “comptroller” insert “and paid into the fund;”; strike out rest of line; strike out line 9 and line 10, including “.”. Line 10, make “All” “all”. Line 12, strike out “.” insert “;”; make “An” “an”. Line 15, strike out period, insert “;”; make “One” “one”. Line 19, after “correction” insert period; strike out “, except that the”, insert “The”. Line 20, after “thirty” insert “-five”. Line 21, strike out comma; at end of line insert “member of the supervising staff”. Line 22, strike out “supervising official”. Line 25, strike out “each amount”, insert “the salary or compensation of each for”.

PAGE 222.

Line 1, strike out “earnable in”; strike out comma. Line 2, change “;” to “.”. Line 3, strike out “turned”, insert “paid”; strike out “said retirement”. Line 5, strike out commas. Line 6, after period strike out; strike out lines 7 and 8. Line 9, strike out “e.”, insert “§ 531. Permanent teachers’ retirement fund.” Line 12, strike out “the”, insert “such”. Line 13, strike out comma. Line 18, strike out “d.”, insert “§ 532. Board of retirement.” Line 20, strike out first comma. Line 26, strike out “he”; strike out “issue”, insert “be issued”; strike out comma.

PAGE 223.

Line 1, strike out “at”, insert “for”. Line 3, strike out “said”, insert “the”; strike out comma. Line 5, strike out “so”. Line 13, change “531” to “533”; strike out “shall”, insert “may”; strike out line 14. Line 15, strike out “four” and insert “eight”. Line 16, strike out “to”. Line 17, strike

out comma. Line 19, strike out "by the". Line 22, strike out commas. Line 23, strike out comma. Line 25, strike out comma.

PAGE 224.

Line 3, strike out "To retire", insert "Retire"; strike out "such". Line 7, after "years," insert ", at least fifteen of which shall have been in the public day schools of the city or in the schools or classes maintained in institutions controlled by the charities department or by the department of correction;". Line 8, strike out "four" and insert "eight"; strike out "to", insert "on the recommendation of the board of retirement,". Line 10, strike out comma. Line 12, strike out "by the". Line 14, strike out comma. Line 15, strike out first comma. Lines 18, 19, 20, 21 strike out. Line 22, change "532" to "534"; strike out "under the pro-". Line 23, strike out "visions of this act." Line 24, strike out "the person", insert "him". Line 26, strike out "fifteen", insert "seventeen"; after "hundred" insert "and fifty"; strike out comma.

PAGE 225.

Line 1, after "a" insert "member of the"; strike out "officer", insert "staff". After line 18, strike out rest of page.

PAGE 226.

Line 1, change "534" to "535". Line 2, after first "the" insert "board of retirement the"; strike out comma, insert "may authorize"; strike out "may"; insert "to expend". Line 3, strike out "authorize the expenditure". Line 4, strike out "of". Line 6, strike out "administration of the fund," insert "work of the board of retirement,". Line 13, strike out "; equal pay". Line 14, strike out "supervising and". Line 18, after "schools" insert "authorized". Line 19, after "fund" insert period; strike out rest of line and line 20. Line 21, strike out and insert "Reports as to moneys and attendance."

PAGE 227.

Between lines 2 and 3 insert "§ 552. Officers and employees continued." Line 14, strike out "; equal pay". Line 15, after "employees" insert comma. Line 18, strike out "unless and". Line 21, strike out "at the rate and". Line 22, after "them" insert period; strike out rest of line and line 23. Line 24, strike out "supervising and"; make "staffs" "staff". Line 25, strike out "supervising and"; make "staffs" "staff".

PAGE 228.

After period, line 3, strike out all to line 17 and insert "After January first, nineteen hundred and twelve, the salaries, including the annual increments, of all members shall not be less than those fixed in the schedules and schedule conditions approved by the board of education on the seventeenth and twenty-fourth days of May, nineteen hundred and eleven. After said date, if a present male member be advanced to a position higher in rank, his salary, including the annual increment, in the advanced position shall be that fixed in the schedule therefor in force at the time of such advance, except that it shall be not less than that received by him immediately prior to such advance. The salary of a principal, assistant to principal or head of a department shall be not less than that now fixed for any regular teacher in the elementary schools. In the schedules of salaries hereafter adopted there shall be no discrimination based on the sex of the member." Line 19, strike out comma. Line 20, strike out comma.

PAGE 229.

Line 5, strike out comma. Line 10, strike out "Any", insert "A"; after "cation" line 11, strike out all. Line 12, strike out "president". Line 17, strike out "by", insert "on". Line 19, after "fund" insert period; strike out rest of line. Line 20, strike out to "The". Line 21, strike out comma. Line 24, strike out comma. Line 25, strike out ", in the said city,".

PAGE 230.

Line 2, strike out "through the board of". Line 3, strike out "education". Line 5, strike out comma. Line 6, strike out "common" at end of line, insert "the city."; strike out line 7. Line 15, make "school" "schools"; strike out "established and maintained by", insert "of". Line 16, strike out "both by". Line 17, strike out comma. Line 24, after "schools" insert quotation mark "; after "forty-two" strike out quotation mark.

PAGE 231.

Line 3, after "York" insert quotation mark. Line 4, strike out "and such". Line 5, strike out. Line 7, strike out first comma; strike out ", through the board,". Line 8, strike out comma. Line 11, at beginning of line, insert "§ 546." Line 19, strike out "the public", insert "school"; make "money" "moneys". Line 21, strike out comma. Line 22, strike out comma; strike out lines 24, 25, 26.

PAGE 232.

Strike out lines 1 and 2. Line 7, strike out comma. Line 11, strike out "religion", insert "christian"; after first "of", insert "other". Line 12, strike out second comma. Line 14, after "lar" insert "christian or other"; strike out comma, insert "or which shall teach the doctrines or tenets of any other religious sect". Line 17, strike out comma. Line 18, strike out commas. Line 20, strike out comma.

PAGE 233.

Line 3, strike out "is", insert "are". Line 4, strike out comma. Line 10, strike out comma. Line 12, strike out comma. Line 19, strike out comma. Between lines 20 and 21, insert "§ 552. Officers and employees continued. Except as otherwise provided in this act the administrative officers and employees of the department and the members of the supervising and teaching staffs shall continue to hold their respective offices and positions for the remainder of the terms for which they were severally elected or appointed." Line 23, strike out "a". Line 25, strike out.

PAGE 234.

Line 1, change "563" to "562". Line 2, change "564" to "563". Line 3, change "565" to "564". Line 5, change "566" to "565". Line 6, change "567" to "566"; after "officials" insert ",". Line 7, strike out "a". Line 9, strike out comma. Line 13, after "provided," insert "the president of the college"; strike out "of". Line 22, strike out "any", insert "a". Line 25, after "then" insert "the president of the college and".

PAGE 235.

Line 4, strike out comma. Line 5, strike out comma. Line 7, strike out comma. Line 8, strike out "by", insert "on"; strike out lines 18 and 19 and 20. Line 21, change "563" to "562". Line 26, strike out comma.

PAGE 236.

Line 1, strike out comma. Line 4, change "564" to "563". Line 6, strike out "July", insert "September". Line 8, strike out "the board" and insert "appropriation may be made therefor"; strike out line 9. Line 10, strike out "the budget". Line 12, change "565" to "564". Line 13, strike out "the benefit of"; strike out comma. Line 14, strike out comma. Line 15, strike out "are actual residents of", insert "actually resident in". Line 17, strike out "And the", insert "The". Line 21,

change " 566 " to " 565 ". Line 22, strike out first comma. Line 26, strike out comma after " operations ".

PAGE 237.

Line 1, strike out comma. Line 3, change " 567 " to " 566 ". Line 11, strike out " any every "; strike out " every amount earnable ", insert " the compensation of each member ". Line 13, strike out " 2. " and do not make paragraph. Line 18, strike out " 3. " and do not make new paragraph. Line 20, strike out comma. Line 22, strike out comma. Line 23, strike out " has ", insert " shall have ". Line 26, strike out " the ", insert " an "; strike out " hereinafter provided. ", insert " as follows: ".

PAGE 238.

Line 13, strike out period, insert " ; "; change " The " to " the ". Line 15, strike out comma. Line 17, strike out ". Such ", insert " and such ".

PAGE 239.

Line 2, strike out " a corpo- ", insert period; strike out line 4. Line 6, strike out " Laws applicable to; participation ", insert " Participation ". Line 7, strike out " of college ". Line 11, after " officials " insert " , ". Line 12, strike out " a corpo- ". Line 13, strike out " ration ". Line 15, strike out " The ". Line 19, strike out " September ", insert " January ". Line 20, strike out " eleven ", insert " twelve ". Line 21, before " and " insert " the president of the college ".

PAGE 240.

Line 1, strike out " of the city of New York ". Line 2, strike out " such ". Line 4, strike out " September ", insert " January ". Line 5, strike out " eleven ", insert " twelve ". Line 6, strike out " August ", insert " December "; strike out " any ", insert " a ". Line 8, strike out " September ", insert " January ". Line 9, after " trustee " strike out " - ", insert " , ". Line 10, after " education " insert " and the president of the board of education "; strike out " - ", insert " , ". Line 15, strike out comma. Line 16, strike out comma. Line 20, strike out " by ", insert " on ". Line 22, strike out " other ". Line 23, after " laws " insert " and regulations ". Line 24, strike out " other ".

PAGE 241.

Line 2, strike out " providing ", insert " provided ". Line 4, strike out " Laws applicable to; participation ", insert " Partici-

pation"; strike out "All"; strike out lines 5, 6, 7. Line 8, strike out "City of New York". Line 9, strike out comma. Line 10, strike out comma. Line 11, strike out comma; strike out "U", insert "u"; strike out "S" and insert "s", line 12. Line 13, strike out "said". Line 14, strike out comma. Line 15, after "books" insert "."; strike out "for the college.". Line 16, strike out "of college". Line 17, strike out "of the college"; strike out "July", insert "September". Line 20, strike out comma; strike out "the"; strike out "of the"; strike out line 21, insert "; and appropriation may be made therefor.". Line 22, strike out to "The". Line 25, strike out "of said college".

PAGE 242.

Line 1, strike out "the benefit of"; after "who" insert "shall". Line 2, strike out comma; strike out "who are actual resi-", insert "actually resident in the". Line 3, strike out "dents of said"; after "city" strike out comma; strike out "passed", insert "pass". Line 4, strike out "to said college". Line 5, strike out "said". Line 6, strike out "give", insert "furnish". Line 9, after "The", insert "board of"; strike out "of the Hunter college". Line 10, strike out "of The city of New York". Line 11, strike out commas. Line 12, strike out "which report shall give" insert "giving". Line 14, strike out "and", insert ","; strike out last comma. Line 15, strike out comma. Line 16, strike out comma. Line 17, after "officials" insert ",". Line 18, make "staff" "staffs". Line 19, strike out "said" insert "the". Line 20, strike out comma. Line 24, strike out "every amount earnable", insert "the compensation of each member". Line 25, after "annually", insert ",". Line 26, after "necessary", insert comma; strike out "received", insert "paid".

PAGE 243.

Line 3, strike out "of the city"; strike out "by", insert "upon"; strike out "and request". Line 4, strike out "of the college". Line 20, strike out "such". Line 21, strike out last "of", insert "equal to". Line 22, strike out "such person" insert "him". Line 23, strike out "said", insert "the". Line 24, strike out "Any", insert "A".

PAGE 244.

Line 2, strike out "said", insert "such". Line 8, strike out "of said person"; after period strike out rest of line, and all to line 16. Line 20, after "Gas" strike out "and", insert "."; after "electricity", insert ". steam and pneumatic power"; change "622" to "623".

PAGE 245.

Line 1, strike out "five" insert "six"; before second period insert "of the department". Line 3, after "have" insert "jurisdiction." Line 4, strike out ":". Line 15, after ";" insert "of establishing, subject to the approval of the board of estimate, standards of size, weight and quality of all new fittings which shall hereafter be used for the distribution of water in or outside of buildings;". Line 21, after ";" insert "of the purchase of meters from private owners;".

PAGE 246.

Line 3, strike out period insert ";"; strike out "Any"; strike out lines 4 and 5. Line 12, strike out "and gas"; strike out "meters". Line 14, after "street" insert "parks". Line 15, strike out "and" insert ";"; after "electric" insert "and steam". Line 16, strike out "public places" insert "parks". Line 17, strike out "when approved by" insert "subject to the approval of". Line 18, strike out "and opening the same".

PAGE 248.

Line 3, strike out "respect thereof" insert "relation thereto". Line 4, strike out "includ-". Line 5, strike out "ing just and reasonable"; strike out "to be made"; after "therefor" insert "which shall be just and reasonable; and in case of a controversy the question of what is just and reasonable shall finally be determined as a judicial question on its merits by a court of competent jurisdiction." Line 22, strike out comma.

PAGE 249.

Line 9, strike out "individual" insert "person". Line 13, strike out "only".

PAGE 250.

Line 21, strike out comma. Line 24, strike out second comma. Line 25, strike out comma. Line 26, strike out first comma.

PAGE 251.

Line 10, strike out comma. Line 11, strike out comma. Line 14, strike out comma. Line 19, strike out comma; at end of line insert "The first annual frontage rates and extra and miscellaneous charges for water not metered, due and payable in advance under this act, shall include such rates and charges for a period of only eight months of the year, namely: May first to December first inclusive." Line 23, strike out comma. Line 24, strike out commas.

PAGE 252.

Line 2, strike out commas. Line 9, strike out comma. Line 10, strike out "they are applicable". Line 11, after "commissioner" insert "they are applicable". Line 18, before "price" insert "maximum". Line 19, after "all" insert "premises owned or leased by the city, and all". Line 20, after "buildings," insert "loft buildings,". Line 22, after "stables" insert "; in all premises used for business purposes". Line 23, after "business" insert "purpose or"; after "heat," insert "steam,". Line 24, strike out "the board of estimate on" insert "ordinance,". Line 25, strike out "recommendation of the commissioner,".

PAGE 253.

Line 1, strike out, "so that all water so" insert "."; strike out lines 2, 3 and 4 to "Thereafter". Line 7, strike out "property" insert "premises"; strike out "properties" insert "premises"; before "in" insert "not owned or leased by the city". Line 9, strike out comma. Line 10, strike out comma. Line 11, strike out commas. Line 19, strike out "properties" insert "premises". Line 20, after "charges" insert "and not owned or leased by the city". Line 24, strike out second and third commas.

PAGE 254.

Line 1, strike out comma. Line 15, strike out comma insert "of". Line 15, strike out comma insert "or". Line 16, strike out "first" insert "thirtieth". Line 17, strike out "July" insert "June". Line 18, before "before" insert "on or"; strike out "such first" insert "the thirtieth"; strike out "July" insert "June". Line 19, strike out comma.

PAGE 255.

Line 1, strike out "first" insert "thirtieth"; strike out "July" insert "June". Line 2, strike out "such first" insert "the thirtieth". Line 3, strike out "July" insert "June"; strike out comma. Line 5, strike out "He" insert "The commissioner". Line 6, strike out comma. Line 9, strike out comma. Line 13, strike out comma. Line 14, strike out comma. Line 17, strike out comma. Line 19, strike out comma. Line 24, strike out "to do so"; strike out last comma. Line 25, strike out comma after statute.

PAGE 256.

Line 3, strike out "an". Line 5, strike out comma. Line 8, strike out comma after "existing" insert "at any time". Line 10, strike out "the". Line 12, strike out last comma. Line 15,

strike out last comma. Line 16, strike out comma. Line 21, strike out comma. Line 22, strike out comma. Line 23, strike out comma. Line 26, strike out comma.

PAGE 257.

Line 8, strike out comma. Line 13, strike out comma. Line 14, strike out comma. Line 19, strike out comma. Line 20, strike out comma. Line 23, strike out comma.

PAGE 258.

Line 2, strike out comma. Line 5, strike out comma. Line 9, strike out comma. Line 10, strike out comma. Line 19, strike out comma. Line 22, strike out "county clerk" insert "recording officer".

PAGE 259.

Line 1, strike out comma. Line 2, strike out comma. Line 4, after "all" insert "direct"; strike out line after "to", insert "property."; strike out line 5. Line 7, strike out "and", insert ","; after "electricity" insert ", steam and pneumatic power". Line 8, strike out "Officers", insert "Restrictions upon officers"; strike out "not to be interested". Line 9, strike out "control and". Between lines 9 and 10, insert "§ 617. Notice of violations." Line 10, change 617 to 618. Line 12, change 618 to 619; strike out "Electricity", insert "Inspection of lights". Line 13, strike out 619, insert 620. Line 15, change 620 to 621. Line 17, change 621 to 622. Line 18, change 622 to 623; make "surface" "surfaces". Line, 20, strike out "Officers", insert "Restrictions upon officers"; strike out "not to be interested". Line 23, strike out comma. Line 24, strike out comma. Line 25, strike out second comma.

PAGE 260.

Line 1, strike out comma. Line 3, strike out "control and". Line 4, strike out "all gas and". Line 6, strike out second comma. Line 7, after "therefor.", make paragraph "§ 617. Notice of violations." Line 8, strike out "of any provision of this section, or". Line 10, strike out comma after "be", insert "served personally on the owner or his agent or the contractor furnishing the equipment, apparatus or appliances or by mail addressed to such owner, agent or contractor at his last known residence or place of business"; strike out "issued" and strike out rest of paragraph. Line 17, change 617 to 618. Line 24, strike out "of".

PAGE 261.

Line 3, strike out first "the", insert "its"; strike out "of the contract". Line 4, change 619 to 618; strike out "Electricity", insert "Inspection of lights". Line 6, after "city" strike out. Line 7, strike out to second, "and". Line 9, strike out "gas, electricity"; after "steam" insert "or pneumatic power". Line 10, strike out "gas, electric or". Line 11, strike out "steam" after "meter"; insert "for measuring steam or pneumatic power". Line 14, strike out comma. Line 16, strike out comma. Line 17, strike out comma. Line 24, after "meter" insert period; strike out rest of line. Strike out line 25.

PAGE 262.

Line 1, strike out to "person", insert "Every"; at end of line insert "such". Line 2, after "all" insert "reasonable". Line 4, strike out "gas, electricity,". Line 6, change 619 to 620. Line 7, change "Whenever" to "When"; after "estimate" insert "; after notice to and after hearing the owners or operators shall have determined". Line 15, strike out comma. Line 16, strike out comma. Line 17, strike out comma. Line 18, strike out "statute", insert "chapter seven hundred and sixteen of the laws of eighteen hundred and eighty-seven, chapter two hundred and thirty-one of the laws of eighteen hundred and ninety-one, chapter two hundred and sixty-three of the laws of eighteen hundred and ninety-two, and the laws amendatory thereof and supplemental thereto." Line 19, make 620 621. Line 20, make "Whenever" "When"; strike out "determine" insert ", after notice to the owners or operators, shall have determined". Line 25, after "commissioner" insert ", which time shall be sufficient for the proper construction of the necessary underground conduits or other subsurface structures in such streets and the placing of said electrical conductors underground".

PAGE 263.

Line 2, strike out comma. Line 8, change 621 to 620. Line 11, strike out last comma. Line 12, strike out comma. Line 14, strike out comma. Line 16, change 622 to 621. Line 18, strike out comma. Line 20, strike out second comma. Line 21, strike out comma.

PAGE 264.

Line 14, change ";" to ",".

PAGE 265.

Line 7, strike out "women" insert "females". Line 8, strike out "women" insert "females". Line 10, strike out "woman"

insert "female". Line 18, strike out comma. Line 19, strike out first comma. Line 20, strike out "one" insert "a"; strike out "four" insert "five"; after "secretary" insert "of the department". Line 23, after period insert "There shall be the following ranks in the police force:"; strike out rest of line; strike out line 24; insert "Captain,". Line 25, strike out "detectives,"; strike "s" from "lieutenants"; strike last "s" from "sergeants"; strike out "detectives,"; make "patrolmen" "patrolman"; strike out "s" from "matrons". Line 26, after "superintendent" insert "of telegraph"; strike out and insert " , ,".

PAGE 266.

Line 1, strike "s" from "operators"; strike out "ranking as lieutenants of police". Line 2, strike out "ranking as sergeant"; make "linemen" "lineman", "wiremen" "wireman"; strike out "and" insert " , ,"; "batterymen" "batteryman"; strike out "ranking as"; strike out line 3; strike out line 4 to "surgeons"; make "surgeons" "surgeon"; strike out rest of line. Line 5, strike out to "and"; strike out "such" insert "the"; after "members" insert "of such ranks". Line 11, strike out "the members" insert "patrolmen". Line 12, strike out "of each rank"; after "grades" strike out comma. Line 13, strike out "Except as"; strike out lines 14 and 15. Line 21, strike out comma. Line 22, after "appointment" insert period; strike out rest of line; strike out line 23; strike out line 24 to period. Line 25, strike out comma; strike out "the". Line 26, strike out first comma.

PAGE 267.

Line 4, strike out comma. Line 5, strike out first comma. Line 9, strike out comma. Line 12, strike out comma. Line 17, strike out comma. Line 22, strike out "same"; strike out "as" insert "of". Line 23, strike out "s" from "lieutenants".

PAGE 268.

Line 6, strike out " , , " insert " , . ". Line 8, after period insert "He shall designate a surgeon to be chief surgeon. A police surgeon shall have the same rank as a captain detailed as inspector." Line 11, strike out "appoint for" insert "assign to". Line 12, strike out "not more than". Line 13, strike out "two". Line 15, strike out after period; strike out lines 16, 17, 18, 19. Line 20, strike out "house."; strike out "woman" insert "female". Line 22, strike out "women" insert "females". Line 23, after period insert "Police matrons may be assigned to duty in dance

halls, places of amusement and parks." Line 25, strike out " of " insert " in "; strike out " A " insert " Hereafter a ".

PAGE 269.

Line 1, after " partment " insert " not now a member of the uniformed force ". Line 5, after " shall " insert " for all purposes ". Line 8, at end of line insert " ; ". Line 9, strike out comma. Line 12, strike out " may " insert " shall ". Line 13 add " s " to " examination ; after " , " insert " and " ; strike out " to " insert " shall ". Line 16, strike out " such " insert " an " ; after " record " insert " of each candidate ". Line 17, strike out " each candidate for promotion, " insert period ; strike out " pro- ". Line 18, strike out " vided, however, that " insert " In such an examination " ; strike out " be credited in but one ". Line 19, strike out. Line 20, strike out " and shall " Line 20, strike out " the same " ; strike out " in more than ". Line 21, strike out " one examination or " ; after " which " insert " shall ". Line 22, strike out " to such examination " insert " thereto ".

PAGE 270.

Line 4, strike out comma. Line 6, strike out comma. Line 15, strike out comma. Line 19, strike out comma. Line 20, strike out comma. Line 20, before " prevent " insert " to detect and ". Line 20, before " regu- " insert " to ". Line 21, strike out first " and " insert " to " ; strike out last comma. Line 25, strike out comma. Line 26, strike out comma.

PAGE 271.

Line 1, strike out comma. Line 15, strike out " two patrolmen " insert " one member of the force ". Line 17, after period strike out rest of line, insert " The police commissioner in case of public necessity and with the consent of the mayor may designate special patrolmen to keep the peace and guard the property of any person or corporation operating public service utilities or institutions to which delinquents are committed by law for correction or detention or to act as messengers in carrying moneys or securities of bankers, banks or moneyed corporations. Their compensation shall be fixed by agreement between the police commissioner and the person, corporation or institution to whom they shall be assigned and paid into the city treasury in advance and drawn therefrom and paid by the police commissioner by his drafts or checks. They shall be under the direct supervision of a regular captain or lieutenant of police and shall not receive orders or directions from the person, corporation or institution

to whom they may be assigned, but shall act on their own discretion and according to law as public officers. They shall have all the powers of regular patrolmen and obey the rules of the police department; they shall not have any claim for or receive pay from the city except as provided, nor be eligible for any pension or other benefit created for regular patrolmen."

PAGE 272.

Strike out to line 17. Line 18, strike out "sys-". Line 19, strike out "tems of "; strike out "in the city " insert "systems". Line 23, strike out "In the performance". Line 24, strike out "of police service the" insert "The". Line 25, before period insert "for police service".

PAGE 273.

Line 5, strike out " ;" insert "."; strike out rest of line and down to line 12. Line 14, strike out last comma. Line 19, strike out comma. Line 21, strike out comma. Line 23, strike out comma.

PAGE 274.

Line 2, strike out " any " insert " a "; strike out comma. Line 7, strike out commas. Line 8, strike out comma. Line 10, strike out commas. Line 22, strike out " women " insert "females". Line 24, strike out " women " insert "females". Line 26, strike out " women " insert "females".

PAGE 275.

Line 44, strike out " women " insert "females". Line 6, strike out " women " insert "females". Line 7, strike out " men " insert " males "; strike out " women " insert "females". Line 8, after " then " insert " a "; strike out " women " insert "females". Line 11, strike out " woman " insert "female"; strike out " Whenever " insert " When ". Line 12, strike out " woman " insert "female"; strike out comma. Line 14, strike out " whenever a woman " insert "when a female"; strike out " in any ". Line 15, strike out "borough" at end of line, insert "in the borough". Line 16, strike out " women " insert "females". Line 17, strike out " women " insert "females". Line 18, strike out " Any " insert " A ".

PAGE 276.

Line 2, strike out comma. Line 5, strike out commas. Line 7, strike out comma. Line 8, strike out commas. Line 10, strike out " party " insert "person"; strike out last comma. Line 12, strike out " immediately " after " warrant " insert " , after re-

porting the arrest to his superior on duty"; strike out "in person". Line 15, strike out comma. Line 20, strike out comma. Line 21, strike out comma. Line 23, strike out commas. Line 26, strike out comma.

PAGE 277.

Line 1, strike out comma. Line 3, strike out commas. Line 4, strike out comma. Line 6, strike out comma. Line 11, strike out after period; strike out line 12 and line 13 to "property", insert "When". Line 14, strike out "be" insert "is". Line 15, strike out commas. Line 16, strike out comma. Line 20, strike out comma first occurring. Line 22, strike out comma. Line 23, strike out comma. Line 24, strike out comma.

PAGE 278.

Line 1, strike out after period; strike out to "if", line 5 and insert "Property, other than animals, delivered to the property clerk shall, after the expiration of six months, be advised for ten days in the City Record and if there be no lawful claimant thereto be sold at public auction as the commissioner prescribe. Animals delivered to the property clerk shall, under his direction, be properly cared for and after the expiration of ten days be advertised for sale in the City Record for five days, and if there be no lawful claimant thereto be sold at public auction as the commissioner prescribe. The proceeds of such sales shall be paid into the police pension fund."; strike out "any". Line 7, strike out comma. Line 9, strike out comma. Line 13, strike out comma. Line 14, after ":" strike out, insert "false affidavits."; strike out line 15. Line 16, strike out "pension". Line 19, make "pension" "pensions". Line 23, strike out comma. Line 26, strike out comma. Line 27, strike out comma.

PAGE 279.

Line 1, strike out comma. Line 2, after period insert "The expense of the commissioner for sureties on the bond shall be a charge upon the fund." Line 4, strike out "thereon" insert "on the fund". Line 5, strike out first comma; strike out "said trustee". Line 7, strike out comma. Line 10, strike out comma. Line 13, strike out "police pension". Line 14, strike out "by the trustee"; strike out "said" insert "the". Line 16, after "trustee" insert "except compensation for the expense of procuring sureties on his bond as treasurer"; strike out "of each". Line 17, strike out "year"; strike out comma. Line 18, strike out comma. Line 20, strike out comma. Line 21, strike out comma. Line 23, strike out "said" insert "the".

PAGE 280.

Line 6, strike out "said" insert "the". Line 7, after period strike out; strike out all to "shall". Line 11, insert "The commissioner of accounts and statistics"; strike out "in each". Line 12, strike out "year". Line 13, make "account" "accounts". Line 14, after ";" strike out insert "false affidavits". Line 15, strike out "and process." Line 16, strike out "police pension". Line 17, strike out comma; strike out "The moneys" and all to "A", line 22.

PAGE 281.

Line 2, strike out "pension". Line 3, strike out "pension". Line 4, strike out ":". Line 7, strike out commas. Line 8, strike out comma. Line 9, strike out "or members". Line 15, strike out ", and". Line 23, strike out "any" insert "a". Line 25, strike out "police pension" insert "treasurer of the".

PAGE 282.

Line 5, strike out after ";" ; strike out line 6. Line 10, strike out "pension". Line 13, strike out "payable to the fund". Line 16, strike out "police pension". Line 17, strike out "for such". Line 18, strike out "purpose"; strike out "each year,". Line 19, strike out comma. Line 27, after "beneficiary" strike out insert "which shall not be reduced or revoked."

PAGE 283.

Line 1, strike out "of the age". Line 2, strike out "of fifty-five years". Line 3, make "twenty-five" "twenty-two and one-half"; strike out comma. Line 4, strike out comma. Line 8, strike out comma. Line 11, strike out comma. Line 13, strike out comma. Line 15, strike out commas; strike out "ten", insert "five". Line 17, strike out commas; strike out lines 20 and 21. Line 22, make "commissioners" "commissioner".

PAGE 284.

Line 5, after first "or" insert "to the". Line 18, strike out comma; at the end of line 24 insert "the term 'widow' as used in this article shall not include the widow of a member who became his wife after his retirement".

PAGE 285.

Line 4, strike out comma. Line 5, strike out comma. Line 9, strike out comma. Line 10, strike out "cause, nature", insert "diseases or disability from which the member is suffering"; at beginning of line 11, insert "the"; strike out "of the member". Line 16, change 693 to 695. Line 19, strike out "fire".

PAGE 286.

Line 6, strike out "Officers and employees of", insert "Members in". Between lines 7 and 8 insert "Sec. 689. Steam boiler inspection. Sec. 690. Chief veterinarian". Line 8, change "689" to "691". Line 9, change "690" to "692". Line 10, change "691" to "693". Line 11, change "692" to "694". Line 12, change "693" to "695". Line 18, before period insert "of the department".

PAGE 287.

Line 6, strike out comma. Line 8, at end of line insert "inspection". Line 9, strike out to "of". Line 20, before period insert "; a veterinary bureau, which shall have general supervision of horses and forage, the head of which shall be the chief veterinarian; and a bureau of boiler inspection". Line 21, after "prevention" insert "and of the bureau of boiler inspection". Line 23, after period insert "There shall be the following ranks in the fire force:"; strike out rest of line and line 24. Line 25, make "chiefs" "chief" in all three words. Line 26, strike "s" from "tenants", make "firemen" after "tenants", insert "engineer of steamers", "fireman"; after "firemen", insert "motor engineer"; make "marshals" "marshal", after "marshals," insert "assistant fire marshal", "chief medical officer"; make "officers" "officer"; strike out "one of whom shall", insert "chief veterinarian,".

PAGE 288.

Strike out to "chaplain"; make "pilots"; "pilot," strike out "of fire boats,". Line 2, strike out "engineers of fireboats,". Line 2, strike out "engineers of steamers", insert "marine" make "engineers", "engineer" strike out "Licensed", strike out "firemen"; insert "stoker"; strike out "and", insert "chief telegraph operator, telegraph operator, assistant telegraph operator, wire man and inspector of boilers". Line 6, strike out after period; strike out lines 7 and 8. Line 13, strike out comma. Line 23, strike out comma.

PAGE 289.

Line 4, strike out "may", insert "shall". Line 5, make "ination" "inations"; before first "the" insert "and"; strike out "to" insert "shall". Line 7, strike out "such" insert "an". Line 8, after "record" insert "of such candidate". Line 9, strike out and insert "him. In such an examination a candi-". Line 10, strike out after "shall". Line 11, strike out to "not". Line 12, strike out "the same"; strike out after "delinquencies" to "which"; at end of line insert "shall". Line 13, strike out "to such examination" insert "thereto". Line 14, strike out

“ Officers and employees of ” insert “ Members in ”; after period insert “ The rank of wireman shall include wireman, foreman lineman, lineman, foreman cable splicer, cable splicer, batteryman and groundman.”. Line 16, after “ fireman ” insert “ , ”; after “ or ” insert “ , unless he shall have entered the department as a fireman,”. Line 17, at end of line insert “ The length of service in the department of a member of the uniformed force in the telegraph service shall for all purposes be counted from the time of his entry into the service of the department.”

PAGE 290.

Line 1, strike out comma. Between lines 3 and 4 insert “ Sec. 689. Steam boiler inspection. The department shall have jurisdiction over the inspecting, testing and certifying of steam boilers. The inspectors shall be licensed engineers of at least five years’ experience. The two inspectors of boilers now members of the uniformed force of the police department shall hereafter be members of the uniformed force of the fire department. Time served by them as members of the uniformed force of the police department shall count for all purposes as if served as members of the uniformed force of the fire department. Fees for boiler inspection shall hereafter be paid to the fire department. § 690. Chief veterinarian. The chief veterinarian shall be a duly licensed veterinary surgeon of at least ten years’ experience and have served not less than one year in the department as a veterinarian.”. Line 4, change “ 689 ” to “ 691 ”. Line 6, after “ partment ” insert “ and any member of the municipal explosives commission ”. Line 8, strike out first comma. Line 15, strike out “ 690 ”, insert “ 692 ”. Line 20, strike out first comma; strike out second comma. Line 24, strike out first comma. Line 26, strike out last comma.

PAGE 291.

Line 6, change “ 691 ” to “ 693 ”. Line 7, strike out “ now ”; after “ constituted ” insert “ by ordinance ”. Line 9, after period insert “ The commission shall formulate and adopt regulations governing the sale, use and transportation of explosives ”; after “ commission ” insert “ , ”; strike out “ now ”. Line 10, strike out “ existing ”. Line 11, before “ shall ” insert “ when approved by the fire commissioner,”. Line 12, at end of line insert “ The commission and each member may take proof and testimony.”. Line 13, change “ 692 ” to “ 694 ”. Line 17, strike out second comma. Line 18, strike out comma, insert “ and ”. Line 22, strike out “ 693 ”, insert “ 695 ”. Line 24, strike out comma.

PAGE 292.

Line 24, strike out "licenses", insert "permits". Line 25, after "charge" insert "No person shall obstruct or interfere with the rights of way given by this section".

PAGE 293.

Line 1, after "present" insert "in uniform". Line 6, strike out "When any", insert "If a". Line 7, strike out comma. Line 8, strike out commas. Line 11, strike out commas. Line 12, strike out comma. Line 20, strike out comma. Line 21, strike out comma. Line 25, strike out "In the case of", insert "If a"; strike out "occurring", insert "occur".

PAGE 294.

Line 7, strike out comma. Line 8, strike out "such", insert "a". Line 15, strike out comma. Line 16, strike out comma. Line 19, strike out comma.

Strike out pages 295, 296, 297, 298, 299 and 300 down to and including line 22, and insert the following:

- " 712. Powers of chief of fire prevention.
- 713. Imminent peril.
- 714. Service of orders.
- 715. Bureau may prohibit occupancy.
- 716. Police to assist.
- 717. Right to a survey.
- 718. Survey.
- 719. Expenses of surveys.
- 720. Violations of orders; penalty.

Section 710. Jurisdiction. The chief of fire prevention, under the direction of the commissioner, shall enforce all laws and ordinances and make orders relating to

1. The prevention of fires;
2. Fire and safety appliances and fire-protective systems, including automatic or other fire-alarm systems or fire-extinguishing appliances;
3. Fire escapes and means of exit not involving structure.

§ 711. Dangerous places; nuisances. The term "premises" in this article includes buildings, structures, inclosures, places and premises. Any premises or vessel which by reason of failure to comply with a statute or ordinance or order of the fire commissioner in respect to its use, contents, number of persons therein, means of exit or escape from fire, fire-alarm, fire-protection, fire-extinguishing or safety appliances is dangerous to life or property in case of fire, is a nuisance within the meaning of this article.

§ 712. Powers of chief of fire prevention. The chief of fire prevention shall, under the direction of the commissioner:

1. Cause the examination of buildings, structures, vessels, inclosures, places or premises, or any part or contents thereof;
2. Order in writing the abatement of a nuisance;
3. Report in writing to the building or the tenement-house department any inadequate fire-escape or means of exit involving structure;
4. Cause a complete survey for fire prevention purposes of all buildings and structures, to be made either by contract or by means of the employees of the department, and maintain the same;
5. Enforce his orders and directions.

The chief of fire prevention shall, under the direction of the fire commissioner, direct the establishment of fire drills and the employment of competent persons to care for, operate and constantly supervise auxiliary fire and safety appliances and instruct employees in the use thereof.

§ 713. Imminent peril. The commissioner may, on the written certificate of the fire chief or chief of fire prevention that imminent peril exists, summarily order and enforce the temporary suspension of the use or occupancy of or access to premises or a vessel until the nuisance be abated, and the order shall not be stayed by survey proceedings.

§ 714. Service of orders. When service of an order is required by this article such service may be made by delivering a copy thereof personally to the owner, agent or occupant of the premises, or to the owner, agent or master of the vessel regarding which the order had been issued; or if the owner, agent, master or occupant cannot be found, or be beyond the territorial limits of the city, service may be made by conspicuously posting a copy thereof upon such premises near the main entrance thereof, if any, or upon such vessel, and at the same time mailing, postpaid, a copy of the order to such owner, agent, master or occupant addressed to his last known residence or place of business. It shall not be necessary to designate the owner, agent, master or occupant by name in such order but the premises or vessel affected by the order shall be designated so that the same may be readily identified.

§ 715. Bureau may prohibit occupancy. Upon the refusal or neglect of the owner, agent or occupant of the premises or owner, agent or master of the vessel designated in an order to comply therewith, the commissioner may prohibit the occupancy or use of such premises or vessel, or public access thereto, until the order be complied with, or be stayed by survey proceedings. Such order shall be served upon the owner, agent, occupant or master.

§ 716. Police to assist. The commissioner may call upon the police department to assist in enforcing compliance with an order.

§ 717. Right to a survey. The owner, master or occupant or agent of either of any premises or vessel affected by an order required to be served may, within forty-eight hours after service thereof, make written demand upon the commissioner for a survey to determine whether such order be valid and reasonable, which demand must be served upon the commissioner, one of his deputies, or the secretary of the department. Upon receipt of a demand for a survey an order shall be issued naming three persons to act as surveyors, one of whom shall be an officer or employee of the bureau of fire prevention, another an architect or builder of at least ten years' experience, chosen by the person making the demand, and the third an architect or builder chosen by the other two. In case of failure to agree upon the third surveyor within two days he shall be named by the mayor.

§ 718. Survey. The surveyors shall meet at a time and place to be fixed in the order naming the surveyors and survey the premises or vessel referred to therein and consider the merits of the order directing the abatement of the nuisance. After such survey and consideration the surveyors shall prepare and sign a report of their proceedings and determination, which shall be filed in the department and a copy thereof shall be given upon application to the person demanding the survey. The determination of the surveyors may be reviewed on certiorari, which must be commenced within ten days after the filing of the report of the surveyors. The determination of the appellate division shall be final.

§ 719. Expenses of surveys. Each surveyor, other than an officer or employee of the department, shall be paid out of the contingent fund of the department the sum of twenty-five dollars for each survey in which he participates, upon filing of the report thereof in the department. The city shall be entitled to reimbursement by the person making the demand for all expenses incident to a survey if it be held that the order of the commissioner was valid and reasonable.

The commissioner may require, as a condition precedent to the ordering of a survey, that a deposit of at least one hundred dollars be made with the department to indemnify the city for the expenses of the survey and the unexpended balance of the deposit, or if it be finally held that the order was invalid or unreasonable the whole shall be returned to the depositor. The city may maintain an action to enforce reimbursement of the expenses of a survey against an order of real property, who has demanded it.

§ 720. Violations of orders; penalty. A person failing to comply with any order made pursuant to this article shall, in addition to other punishment prescribed therefor, forfeit the sum of two hundred and fifty dollars for each offense, recoverable in an action by the city."

PAGE 300.

Line 24, strike out " Fire ". Line 25, strike out " fire ".

PAGE 301.

Line 3, strike out " fire ". Line 8, strike out comma. Line 9, after " ceding " insert " thirty "; strike out " September ", insert " December ". Line 10, before period insert " for insurance by such corporation, association or individual upon property within the city ". Line 18, strike out comma. Line 24, strike out commas. Line 25, strike out comma.

PAGE 302.

Line 6, after period strike out and strike out all to line 15 and insert " Every corporation, association or individual, not incorporated under the laws of this state, insuring against loss by fire in the city shall annually, on or before the first day of February, report in writing to the fire commissioner the name and address of each person authorized by such corporation, association or individual to write policies of insurance against loss by fire in the city. For each failure to so report any such corporation, association or individual shall forfeit the sum of one thousand dollars for the use of the department." Line 18, strike out all after " ; " insert " false affidavits ". Line 19, strike out.

PAGE 303.

Line 6, after period insert " The expense of the commissioner for sureties on the bond shall be a charge on the fund." Line 10, strike out comma. Line 14, strike out comma. Line 15, strike out comma. Line 22, before period insert " , except compensation for the expense of procuring sureties on his bond as treasurer ". Line 25, strike out last comma. Line 26, strike out comma.

PAGE 304.

Line 4, strike out after period and all to line 9 and insert " The commissioner of accounts and statistics ". Line 11, strike out after " ; " ; insert " false affidavits." Line 12, strike out " and process." Line 14, strike out comma; strike out " The moneys," and all down to " Every " on line 19. Line 24, strike out first comma.

PAGE 305.

Line 5, strike out comma. Line 6, strike out "or parts thereof,". Line 7, make "." ";". Line 9, make "." ";". Line 10, strike out ", in" insert "of". Line 13, strike out comma. Line 14, make period ";". Line 17, strike out last comma. Line 19, strike out "licenses" insert "permits". Line 21, strike out "License" at end of line, insert "for permits". Line 22, make period ";". Line 24, strike out period, insert "and all fees paid for boiler inspection;".

PAGE 306.

Line 3, make period ";". Line 7, strike out comma. Line 10, make period ";". Line 12, strike out "fire". Line 13, make period ";". Line 14, make period ";". Line 16, strike out comma; make period ";".

PAGE 307.

Line 1, strike out ", in his discretion,". Line 3, strike out first comma. Line 5, strike out first comma; make ";" a comma; after "and" insert "shall"; strike out "such" insert "to the"; after "member" insert "so retired". Line 6, strike out comma. Line 7, strike out "; and". Line 8, strike out "such allowance" insert "which". Line 13, strike out ". But" insert ", but". Line 17, strike out ". In" insert ", in". Line 22, strike out ". In"; insert ", in"; strike out comma. Line 24, strike out comma.

PAGE 308.

Line 1, make ";" a comma. Line 3, strike out ". In" insert "; in". Line 3, strike out comma. Line 5, strike out comma. Line 7, strike out comma. Line 12, strike out comma. Line 14, strike out first comma; strike out ", or (c)". Line 15, strike out to "shall". Line 22, strike out first comma.

PAGE 309.

Line 1, strike out comma. Line 4, strike out comma. Line 10, strike out comma. Line 12, strike out comma. Line 16, strike out commas. Line 18, strike out comma. At end of line 20, insert "The term 'widow' as used in this article shall not include the widow of a member who became his wife after his retirement."

PAGE 310.

Line 11, strike out comma. Line 14, after "first of" insert "the uniformed force of"; after "department," insert "including a probationary member,". Line 15, strike out comma. Line 20, strike out comma.

PAGE 311.

Line 3, after "employee" insert "in the service of the department"; strike out comma. Line 4, strike out comma. Line 5, strike out comma. Line 6, strike out comma. Line 9, strike out "in the dis-". Line 10, strike out to "be". Line 16, strike out "fire". Line 21, strike out "fire". Line 22, after "shall" strike out rest of line. Line 23, strike out to "pay"; strike out commas; before "the moneys" insert "from".

PAGE 312.

Line 4, strike out "volunteer". Line 8, before period insert "until January seventeenth, nineteen hundred and seventeen and thereafter to the fire pension fund of the fire department". Line 9, before ":" insert "until January seventeenth, nineteen hundred and seventeen and thereafter to the fire pension fund of the fire department".

PAGE 313.

Line 10, strike out "now existing"; before period insert "existing therein prior to April first, nineteen hundred and six". Line 13, strike out "now existing"; before period insert "existing therein on January first, nineteen hundred and one". Line 19, strike out "licenses" insert "permits". Line 22, strike out "volunteer".

PAGE 314.

Line 5, strike out "one" insert "six"; after period make new paragraph. Line 1, strike out "volunteer". Line 19, strike out "one" insert "six"; after period make new paragraph.

PAGE 315.

Line 3, strike out "herein" insert "in this article". Line 4, strike out "provided" insert "directed". Line 12, strike out comma. Line 13, strike out comma. Line 14, strike out "or" insert "and". Line 17, strike out comma. Line 21, strike out commas.

PAGE 316.

Line 4, change "763" to "764". Line 13, strike out "Further" insert "Discretionary". Line 16, strike out "lymph"; strike out "antitoxines" insert "sera". Line 19, after "758." strike out; insert "Record of vital statistics." Between lines 22 and 23, insert "Sec. 762. Health squad." Line 23, change "762" to "763". Line 24, change "763" to "764"; strike out section 750 and insert "Section 750. The board of health. The head of the department shall be the board of health which shall consist of the health commissioner, who shall be the

president of the board, the police commissioner and the tenement house commissioner. The health officer of the port of New York may be present at the meetings of the board and shall have the right to speak on any question but not the right to vote. The board shall appoint a secretary of the department and may appoint a sanitary superintendent and a registrar of records".

PAGE 317.

Line 1, before "health" insert "tenement house commissioner."; strike out "health off-". Line 2, strike out "cer of the port.". Line 5, after "secretary" insert "of the department and may appoint a deputy health commissioner"; at end of line insert "The health officer of the port may be present at the meetings of the board and shall have the right to speak on any question." Line 11, strike out "nothing". Line 12, strike out "herein contained"; after "shall" insert "not". Line 13, strike out to second "the" insert "of". Line 25, strike out "communicable diseases" insert "diseases transmissible to human beings".

PAGE 318.

Line 4, strike out comma. Line 11, strike out comma. Line 13, strike out "and the quar-". Line 14, strike out "antine commissioners". Line 14, strike out comma. Line 16, strike out "within the". Line 17, strike out "city that may be". Line 25, strike out comma. Line 26, strike out comma; strike out second "the".

PAGE 319.

Line 2, strike out comma. Line 5, strike out comma. Line 9, strike out comma. Lines 16, 17, 18, 19 strike out. Line 20, change "18" to "17". Line 21, strike out "Further" insert "Discretionary". Line 22, strike out ":". Between lines 22 and 23 insert "1. Adopt means for preventing communication between any part of the city infected with a disease of a pestilential, infectious or contagious character and other parts of the city;". Line 23, change "1." to "2.". Line 25, change "2." to "3.".

PAGE 320.

Line 1, strike out "designate."; before "places" insert "such"; strike out "for". Line 2, strike out "such purpose"; strike out "their" insert "the"; after "support" insert "of such person"; strike out "unless they are" insert "if not". Line 3, make "commissioners" "commissioner"; make "emigration" "immigration". Line 4, change "3." to "4."; strike out last comma. Line 6, strike out first comma. Line 9, change "4."

to "5.". Line 10, strike out comma. Line 12, change "5." to "6.". Line 17, change "6." to "7.". Line 20, strike out comma. Line 22, change "8." to "9.". Line 23, strike out "board, any" insert "department, an". Line 25, change "9." to "10.". Line 26, change "10." to "11.".

PAGE 321.

Line 8, change "11." to "12.". Line 10, change "12." to "13.". Line 13, make "antitoxines" "antitoxine" and insert "and protective sera". Line 15, change "14." to "15."; after "president to" insert "repair and"; strike out "sewers" insert "drains". Between lines 15 and 16, insert "16. Order an autopsy upon the body of a person dying from a disease suspected to be infectious, contagious or pestilential.".

PAGE 322.

Line 5, strike out comma. Line 7, strike out comma. Line 8, before "designate" insert "the department may". Line 10, strike out comma. Line 21, strike out first comma. Line 22, strike out first comma. Line 23, strike out comma.

PAGE 323.

Line 9, strike out "board" insert "department". Between lines 9 and 10 insert lines 20 to 26 inclusive. Line 20, make "755" "754". Line 21, strike out comma. Line 24, strike out "and"; strike out "on premises". Line 10, change "754" to "755"; strike out "lymph"; strike out "antitoxines" insert "sera". Line 11, strike out "lymph or"; make "antitoxines" "antitoxine" and insert "and protective sera". Line 15, strike out comma; strike out rest of line. Line 16, strike out to "upon". Line 18, strike out "Lymph or"; make "antitoxines" "antitoxine" and insert "and protective sera".

PAGE 324.

Lines 1 and 2 to be inserted between lines 9 and 10 on page 323. Line 4, strike out "im-". Line 5, strike out "pending"; strike out comma; strike out page after line 9 and insert "§ 757. Quarantine. The department may regulate communication with a house or family infected with an infectious, contagious or pestilential disease and may order to the quarantine anchorage a vessel when its condition or that of its cargo, passengers or crew is deemed to be dangerous to the public health. When an infectious disease is epidemic in a place outside of the city the department may prohibit or regulate all intercourse be-

tween such place and the city for a reasonable period, and may direct that all persons who shall come into the city, contrary to the prohibitions and regulations of the board, shall be apprehended and returned whence they came or be conveyed to such institution as the department may designate for detention and observation or necessary treatment.”.

PAGE 325.

Lines 1 and 2, strike out. Line 3, strike out “Marriages, births and deaths; record of” insert “Records of vital statistics”. Line 13, strike out “and official station, if any,”

PAGE 326.

Line 2, make “birth” “births”. Line 5, strike out comma. Line 6, strike out “the”. Line 8, strike out comma; strike out second “shall”. Line 10, strike out comma. Line 11, strike out comma. Line 12, strike out comma. Line 18, at end of line insert “person or the”. Line 19, strike out “any” insert “a”. Line 20, after “recorded” insert period; strike out rest of line and line 21. Line 22, strike out “the” insert “The”; strike out “thereof” insert “of a false or fraudulent return”. Line 23, after period insert “A transcript of a record of a birth, marriage or death shall, on application of a person whose title to real or personal property is or may be affected by such record, be furnished to such person, his attorney or agent.”.

PAGE 327.

Line 7, strike out comma. Line 10, strike out comma. Line 11, strike out “thereof” insert “thereon”. Line 11, strike out comma. Between lines 13 and 14, insert “§ 762. Health squad. The police commissioner, on the requisition of the board of health, shall detail to the health department not more than one hundred members of the police force of at least five years service who shall be known as the ‘health squad’ and report to and be subject to the direction of the health commissioner. The health commissioner may report to the police department for punishment a member of the health squad guilty of a breach of order or discipline or neglect of duty. The board may reject a member detailed to the squad and thereupon another member shall be detailed in his place.” Line 14, change “762” to “763”. Line 19, strike out comma. Line 23, strike out “of the department”.

PAGE 328.

Line 3, change “763” to “764”. Line 6, strike out “the prevention of”. Line 14, strike out “;” and rest of line, insert

period. Strike out line 15. Line 25, strike out "regarded as" insert "presumed to be". Line 26, strike out comma.

PAGE 329.

Line 2, strike out first comma. Line 7, strike out commas. Line 24, strike out comma. Line 25, strike out comma, first one.

PAGE 330.

Line 1, strike out comma. Line 6, strike out comma. Line 8, strike out comma. Line 9, strike out commas. Line 14, strike out comma. Line 18, strike out ";" and rest of line, insert "." Line 19, strike out "pensation." Line 22, strike out second comma. Line 23, strike out ";" and rest of line and page, insert period.

PAGE 331.

Strike out lines 1 and 2. Line 13, strike out comma. Line 14, strike out comma. Line 18, after "filed" insert "entered and indexed". Line 19, strike out "; and thereupon all" and insert "Such notice when filed shall have the same force and effect as a notice of mechanics' lien. All". Line 20, strike out "entry, indexing,".

PAGE 332.

Line 8, strike out "the amount of". Line 9, strike out comma. Line 22, strike out commas. Line 23, strike out "or injurious". Line 24, strike out comma.

PAGE 333.

Line 7, strike out "; such" insert ". Such". Line 9, strike out first comma. Line 11, strike out comma. Line 12, strike out comma. Line 16, strike out "existence of the". Line 17, strike out second comma. Line 18, strike out commas.

PAGE 334.

Line 9, strike out ": A" insert "a"; strike out commas. Line 10, strike out comma.

PAGE 335.

Line 3, strike out commas. Line 7, strike out ": ". Line 10, after "to" insert "not less than"; after "one" insert "nor more than two". Line 11, strike out comma, insert "as determined by the trustee". Line 12, at end of line insert "trustee". Line 13, strike out to "No". Line 17, strike out comma. Line 20, strike out "chairman" insert "trustee". Line 22, strike out "board of" insert "trustee". Line 23, strike out "trus-

tees"; after "pension" insert "during his lifetime". Line 24, strike out first comma; strike out "consequence of the actual" insert "the". Line 25, strike out commas. Line 26, strike out comma.

PAGE 336.

Line 1, strike out comma. Line 2, before period insert "at the time of retirement". Line 5, strike out comma. Line 6, strike out second comma. Line 7, strike out "board of trustees". Line 8, strike out comma. Line 10, strike out "such" insert "the". Line 11, at end of line insert "the term 'widow' as used in this article shall not include the widow of a member who became his wife after his retirement." Line 14, strike out comma. Line 15, strike out commas; strike out "board of trustees" insert "trustee"; strike out "cause" insert "disease or disability from which such physician or employee is suffering and the". Line 16, strike out "nature and"; strike out ", disease or injury". Line 22, strike out comma at end of line. Line 23, strike out comma. Line 24, strike out "board of trustees," insert "trustee". Line 26, strike out comma.

PAGE 337.

Line 1, strike out "pay" insert "annual compensation". Line 4, strike out commas. Line 11, make "829" "828". Line 18, strike out "two" insert "three"; before period insert "of the department. At least two of the deputies shall have had not less than ten years' experience as architect, engineer or builder. A deputy shall be assigned to the borough of Brooklyn and shall be the executive head of the branch office therein". Line 19, strike out "new". Line 20, after period insert "There shall be a branch of each bureau in the borough of Brooklyn." Line 20, strike out sentence beginning on line 20 and ending on line 23. Line 23, strike out "new", twice occurring. Line 25, strike out comma.

PAGE 338.

Line 4, strike out comma. Line 5, after "law" insert period; strike out "and ordinances." Between lines 9 and 10 insert "Sec. 806. Filing and approval of plans and specifications." Line 10, change "806" to "807". Line 11, change "807" to "808". Between lines 11 and 12 insert "Sec. 809. Special revenue bonds." Line 12, change "808" to "810". Line 14, change "809" to "811". Line 15, change "810" to "812"; after "actions" insert "and proceedings"; strike out line 17, line 18; change "812" to "813". Line 19, change "813" to "814". Line 20, change "814" to "815". Line 21, change

"815" to "816". Line 22, change "816" to "817". Line 23, change "817" to "818". Line 24, strike out "commissioner" insert "department". Line 25, strike out ":". Line 26, strike out "within the city". Line 27, strike out "concurrently with the health department," insert "the".

PAGE 339.

Line 2, strike out all except "therewith;". Line 3, strike out. Line 4, strike out. Line 5, at beginning insert "3."; strike out "To require" insert "Require"; strike out "proper". Line 6, after "escapes" insert "safety appliance"; strike out "proper". Line 9, after the period insert "No new fittings for the distribution of water in or outside of buildings shall be approved by the department except in conformity with standards established by the department of water, gas and electricity." Between lines 9 and 10, insert "§ 806. Filing and approval of plans and specifications. No tenement house shall be erected or altered and no building shall be altered or reconstructed for use as a tenement house until the plans and specifications for the proposed construction or alteration shall have been filed with and approved by the department." Line 1, change "806" to "807". Line 11, make "Whenever" "When". Line 12, before "tenement" insert "house used as a". Line 13, strike out "contagious"; strike out second comma. Line 15, strike out first comma. Line 17, strike out "among the occupants,". Line 18, strike out "and", insert "or". Line 19, strike out "proper"; after "fire," insert "or that it is occupied before the issuance by the department of a certificate that the building conforms in all respects to the provisions of the tenement house law,". Line 20, strike out "issue an"; strike out "requiring". Line 21, strike out commas; strike out "not". Line 22, strike out "more than ten days". Line 23, strike out "said", insert "the". Line 24, strike out "tenement". Line 25, strike out "whenever it is", insert "when"; strike out "tene-".

PAGE 340.

Line 1, strike out "ment". Line 2, after "time" insert "for compliance."; strike out rest of line. Line 3, change "807" to "808". Line 7, strike out comma after "thereof"; insert comma after "is"; strike out comma at the end of line. Line 10, strike out comma. Line 15, strike out comma. Line 17, change "Any" to "An"; strike out "may" insert "shall". Line 21, strike out all after first comma. Line 26, strike out "and" insert period; strike out line 27.

PAGE 341.

Line 1, strike out to "Such". Line 5, before period insert "or to enforce the provisions of the tenement house law or of this chapter". Line 6, strike out comma. Line 8, strike out "notice or". Line 9, after "department" insert "or obstruct its execution". Line 10, strike out comma. Line 15, strike out "such" insert "the". Line 16, before "notice" insert "the". Between lines 16 and 17 insert "Sec. 809. Special revenue bonds. The expenses, in excess of appropriation therefor, necessarily incurred by the department in the execution of orders which are liens upon the property affected shall be provided by the issue of special revenue bonds.". Line 17, change "808" to "810". Line 20, strike out "con-" insert "reconstruction". Line 21, strike out "version"; strike out comma. Line 23, strike out "converted" insert "reconstructed"; after "law" insert "and ordinance". Line 24, insert after "with" "and approved by"; after "department" insert period and strike out rest of line and line 25.

PAGE 342.

Line 1, change 809 to 811. Line 2, strike out comma. Line 3, strike out comma. Line 4, strike out after period; strike out lines 5 and 6. Line 11, change 810 to 812. Line 13, after "chapter" insert "or ordinances". Line 17, after "commissioner" insert period and strike out rest of line; strike out section 811. Line 24, change 812 to 813; strike out "member" and insert "employee".

PAGE 343.

Line 3, change 813 to 814. Line 4, strike out comma. Line 8, change 814 to 815. Line 10, strike out "one hundred" insert "fifty". Line 11, strike out period insert comma; strike out "The"; strike out line 12 and line 13 to "who". Line 14, after "to" insert "and be subject to the direction of". Line 21, change 815 to 816; strike out "and duties". Line 22, after "shall" insert "in addition to its other powers and remedies"; strike out "duties". Line 23, strike out "department"; after "health" insert "department". Line 25, strike out "or", insert "of".

PAGE 344.

Line 2, strike out "to" before "actions" insert "and". Line 4, change 816 to 817; strike out commas. Line 5, strike out "A"; strike out commas. Line 6, strike out comma. Line 8, change 817 to 818. Line 9, strike out "may be entered by any person". Line 10, before "tenement" insert "a"; strike out "houses" insert "house may be entered by any person, who shall

also enter his name and address". Line 14, strike out; line 15, strike out; and line 16 and 17. Line 18, change 829 to 826. Line 20, strike out comma at end of line insert comma. Line 22, strike out comma.

PAGE 345.

Line 1, strike out last comma. After line 3 strike out page.

PAGE 346.

Strike out to line 8; change "829" to "826". After line 13 insert "§ 827. Delegation of powers; variation from statute or ordinance; appeals; notice to tax department. The department may in writing delegate to another department, with the consent of such department, any of its powers or duties, except such as are vested in or imposed upon it by the tenement house law, and may in writing revoke such delegation. Except as to matters prescribed by the tenement house law, the commission may permit the variation from the strict letter of a statute, ordinance, rule or regulation relating to the construction, alteration, plumbing, drainage or removal of a tenement house as provided in this act for a superintendent of buildings. Except as to matters prescribed by the tenement house law, an appeal may be taken to the board of examiners from a decision of the commissioner, under the same circumstances and in the same form and manner as prescribed in this act for an appeal from a decision of a superintendent of buildings. When a permit shall have been granted for the construction, alteration or removal of a tenement house the department shall notify the tax department within ten days of the granting of the permit designating the lot or block or tax number upon the tax map of the premises and the estimated cost of the improvement."

§ 828. This act shall not affect the tenement house law.

Strike out rest of page. Strike out pages 347, 348, 349, 350, 351, 352 to line 23.

PAGE 352.

Line 23, change XX to XIX. Line 26, change "860-871" to "844-851". Line 27, change "880-882" to "865-867".

PAGE 353.

Line 3, change "860" to "840". Line 4, change "861" to "841". Line 5, change "862" to "842". Line 6, change "863" to "864". Line 7, change "864" to "844"; strike out "Supervision" insert "Visitation". Line 8, change "865" to "845". Line 10, change "866" to "846". Line 11, change "867" to "847". Line 12, change "868" to "848". Line

13, change "869" to "849". Line 14, change "870" to ") 850". Line 15, change "871" to "851". Line 16, change "860" to "840". Line 18, before period insert "of the department". Line 20, change "861" to "841". Line 22, strike out ":".

PAGE 354.

Line 3, strike out "Kings County" insert "New York City"; strike out "Brooklyn"; strike out "in". Line 5, at end of line insert comma. Line 6, strike out "in the". Line 14, strike out "recreation". Line 15, strike out "centers,"; strike out "other". Line 23, after "charges" insert ","; strike out rest of line and line 24. Line 25, strike out ", pursuant to judicial orders,".

PAGE 355.

Line 5, strike out period insert ",". Line 7, strike out period insert ",". Line 8, strike out "." insert ",". Line 11, change "862" to "841". Line 13, strike out comma. Line 14, strike out first comma. Line 22, strike out comma. Line 24, strike out comma. Line 25, strike out comma. Line 26, strike out second comma.

PAGE 356.

Line 7, strike out "audit" insert "examine"; strike out "accept" insert "approve". Line 8, after "institutions" insert "and hospitals". Line 11, strike out to "by" insert "approved". Line 12, strike out "The". Line 13, strike out to "The". Line 14, strike out "chapter" insert "section". Line 15, strike out comma. Line 17, change "863" to "843". Line 19, strike out "it" insert "such institution". Line 25, strike out comma. Line 26, strike out last comma.

PAGE 357.

Line 1, strike out comma. Line 4, strike out comma. Line 8, strike out comma. Line 12, strike out comma. Line 13, strike out comma. Line 15, change "864" to "844"; strike out "Supervision" insert "Visitation"; strike out "may" insert "shall, in so far as the interests of the city and the welfare of the persons under his charge may require,". Line 16, strike out "supervise" insert "have the power of visitation of". Line 17, strike out comma. Line 22, strike out comma. Line 24, strike out comma. Line 26, strike out "by" insert "on"; at end of line insert "The commitment or acceptance by the commissioner of a person as a proper charge shall be binding upon the city."

PAGE 358.

Line 1, change "865" to "845"; strike out "employment" insert "Classification.". Line 11, strike out commas. Line 15, change "866" to "846". Strike out comma first occurring line 17. Line 18, strike out comma. Line 22, strike out comma.

PAGE 359.

Line 1, change "867" to "847". Line 7, change "868" to "848". Line 10, strike out "near relatives" insert "the persons liable for the support". Line 11, strike out comma. Line 13, strike out comma; strike out "near relative" insert "grandparent, parent, child or grandchild". Line 17, change "869" to "849". Line 23, change "870" to "850".

PAGE 360.

Line 1, change "871" to "851". Line 7, strike out comma. Line 8, strike out comma. Line 11, strike out comma. Line 12, strike out comma. Line 16, change "880" to "865". Line 17, change "881" to "866". Line 18, change "882" to "867". Line 19, change "880" to "865"; strike out ":".

PAGE 361.

Line 3, strike out comma. Line 7, change "881" to "866". Line 8, strike out comma. Line 9, strike out comma. Line 11, strike out "commis-" insert "department". Line 12, strike out "sioner". Line 15, change "882" to "867". Line 18, change "XXI" to "XX". Line 20, change "890" to "880". Line 21, change "891" to "881". Line 22, strike out. Line 23, change "892" to "882". Line 23, change "893" to "882"; before period insert "or female orderlies". Line 24, change "894" to "883".

PAGE 362.

Line 1, change "895" to "884". Line 2, change "896" to "885". Line 4, change "897" to "886". Line 5, change "898" to "887". Line 6, change "899" to "888". Line 7, change "900" to "889". Line 8, change "901" to "890". Line 9, change "890" to "880". Line 11, before period insert "of the department". Line 12, change "891" to "881". Line 13, strike out ":". Line 14, after "All" insert "city"; after "institutions" insert ";"; strike out rest of line and lines 15, 16, 17 and 18. Line 20, before ";" insert "and of their employment"; after line 23, strike out page.

PAGE 363.

Line 1, change "893" to "882"; after "matrons" insert "or female orderlies". Line 2, after "matron" insert "or female orderly". Line 3, strike out "woman" insert "female". Line 4, strike out "woman" insert "female" both times occurring. Line 6, strike out "woman" insert "female". Line 7, before period insert "or female orderly". Line 8, change "894" to "883". Line 13, strike out ";" insert ",". Line 16, before "department" insert "charities"; strike out "of" insert "."; strike out line 17. Line 18, change "895" to "884". Line 19, strike out comma.

PAGE 364.

Line 1, change "896" to "885". Line 7, change "897" to "886". Line 11, change "898" to "887". Line 14, strike out last comma. Line 16, change "899" to "888". Line 21, change "900" to "889"; strike out "Civil court prisoners. Until" insert "The ". Line 22, after "sion" insert "may designate a building in each county as a common jail. Until other designation be made". Line 23, strike out last comma. Line 25, strike out comma.

PAGE 365.

Line 1, after "respectively" insert "."; strike out rest of line and line 2. Line 3, change "901" to "890;" strike out "a jail within". Line 5, change "XXII" to "XXI". Line 7, change "910-917" to "905-912". Line 8, change "925-931" to "920-926". Line 11, change "910" to "905". Line 12, change "911" to "906"; between lines 12 and 13 insert "§ 907. Superintendent of hospitals." Line 13, change "912" to "908". Line 14, change "913" to "909". Line 15, change "914" to "910". Line 16, change "915" to "911". Line 17, change "916" to "912"; strike out lines 18 and 19. Line 20, strike out, and 21 and 22; and insert "§ 905. Board of trustees; appointment and removal. The head of the department shall be the board of trustees of the Bellevue and allied hospitals, of which the commissioner of charities shall be a member ex-officio. The board shall appoint a secretary of the department and from its members choose a president. The present appointive members of the board shall continue as members of the board during the terms for which they were respectively appointed. The term of each appointive member shall be seven years. The members of the board shall serve without compensation, except that they shall be entitled to reimbursement by the city for expenses incurred in the performance of their duties as such members. An appointive member of the board may be removed by the mayor only for cause after notice and an opportunity to be heard. Members of the board

shall be appointed by the mayor as follows: At least twenty days before making an appointment the mayor shall call upon the president or other executive head of the New York Association for Improving the Condition of the Poor, the United Hebrew Societies of the City of New York, the Particular Councils of New York and Brooklyn of the Society of Saint Vincent de Paul and the Brooklyn Bureau of Charities to each present within ten days a list of not less than twice the number of persons to be appointed and appointments may be made from such list." Line 23, change "911" to "906". Line 24, change "Harmon" to "Harlem".

PAGE 366.

At beginning of page insert "§ 907. Superintendent of hospitals. The mayor shall appoint a superintendent of hospitals who shall be the executive officer of the department. Subject to the jurisdiction of the board he shall have general superintendence, direction and control of the property and affairs of the department. He shall recommend to the board for appointment all officers and employees except members of the medical and surgical staff." Line 1, change 912 to 908; strike out "commissioner" insert "board". Line 4, strike out "he" insert "it". Line 5, after "The" insert "medical and surgical"; strike out "may" insert "shall". Line 7, change 913 to 909. Line 9, strike out ";". Line 10, strike out "com-" insert "department". Line 11, strike out "missioner". Line 14, strike out comma. Line 15, strike out "the commissioner"; strike out "payment therefor" insert "such cost". Line 17, change 914 to 910. Line 24, strike out first comma.

PAGE 367.

"Line 1, change 915 to 911; strike out "commissioner" insert "department". Line 4, strike out comma. Line 6, strike out "commissioner" insert "department". Line 8, at end of line insert "Subject to the approval of the mayor the department may enter in to a contract or contracts with the Bellevue training school for nurses for the occupation and use of any building or buildings as a training school for nurses." Line 9, change "916" to "912". Line 11, after "places" strike out. Line 13, strike out "who are". Lines 19, 20, 21, 22, strike out. Line 25, change "925" to "920". Line 26, change "926" to "921". Line 27, change "927" to "922".

PAGE 368.

Line 1, change 928 to 923. Line 2, change 929 to 924. Line 3, change 930 to 925. Line 4, change 931 to 926. Line 5, change 925 to 920; strike out lines 6 to 17, inclusive, and insert "The board of inebriety as now constituted is continued. It shall be

composed of the commissioner of charities, the commissioner of correction and five persons appointed by the mayor. Two of the appointive members of the board shall be physicians. The terms of office of the successors to the present members of the board shall be five years. The appointive members may be removed by the mayor for cause after notice and opportunity to be heard. The members of the board shall serve without compensation." Line 18, do not make paragraph. Line 23, change 926 to 921.

PAGE 369.

Line 4, strike out "fice" insert "ten". Line 7, change 927 to 922; after "shall" insert "annually"; strike out line 8 and 9 to "It". Line 14, strike out "daily" insert "at all times". Line 16, change 928 to 923. Line 18, before "site" insert "suitable"; strike out "Suitable for." insert "within or without the city"; after "establish" insert "and maintain thereon". Line 19, strike out ", within or without the city,". Line 20, strike out comma. Line 22, change 929 to 924; strike out "of"; strike out 23 to "shall", second occurring. Line 24, strike out "of". Line 25 strike out "the board".

PAGE 370.

Line 3, strike out comma. Line 5, at beginning of line insert "forthwith". Line 18, strike out comma. Line 19, strike out comma. Line 25, strike out comma.

PAGE 371.

Line 1, change 930 to 925. Line 3, strike out "of said board". Line 4, strike out comma. Line 5, strike out comma, second. Line 13, strike out comma. Line 15, strike out comma. Line 19, strike out comma. Line 24, strike out comma; after "or" insert ",". Line 6, at end of line insert "may be".

PAGE 372.

Line 1, strike out "931", insert "926". Line 7, strike out comma. Line 14, strike out comma. Line 17 change "XXIII" to "XXII". Line 18, strike out "Dock" before period insert "of docks and ferries". Between lines 20 and 21, insert "3. Ferries. (§§ 980-984)".

PAGE 373.

Line 2, strike out; insert "Public hearings on leases and plans." Line 6, strike out "Rules", insert "Ordinances, rules". Line 10, after "secretary", insert "of the department". Line 11, at end insert "No person shall be eligible to appointment as dockmaster who shall be over the age of thirty-five years at the

time of the filing of his application for civil service examination." Line 12, strike out ":". Between lines 15 and 16 insert "2. 'Pierhead line' means the limiting line for piers outshore of which it is unlawful to build any permanent pier structure;". Line 16, change 2 to 3. Line 19, strike out ":". Line 23, strike out comma.

PAGE 374.

Line 1, strike out commas; strike out lines 3 and 4. Line 7, after "front", insert "and ferry". Line 8, strike out after "city" and insert "and not within the jurisdiction of another department". Line 14, strike out comma; strike out "line", insert "limits". Line 22, strike out commas. Line 24, before ":", insert "including ferries".

PAGE 375.

At beginning of line insert ". Of establishing, maintaining and operating ferries and of entering into agreements respecting the same;". Line 1, change 8 to 9. Line 2, strike out comma. Line 4, change "9" to "10". Line 6, change "10" to "11". Line 8, change "11" to "12". Line 10, strike out "when necessary". Line 11, strike out ",", insert ";". Line 14, strike out ":", insert ";". Line 15, change "12" to "13"; strike out "Fixing", insert "Of fixing". Line 16, strike out comma. Line 17, strike out after period, and lines 18, 19 and 20.

PAGE 376.

Line 8, after "945.", insert "Public hearings on leases and plans.

Resolutions of the sinking fund commission

(a) adopting, approving or certifying plans for improvement of waterfront property,

(b) approving leases of waterfront property or ferry franchises, and

(c) contracts for the furnishing of ferry service shall be adopted only after a public hearing, notice of which shall have been published in the City Record for six consecutive days not less than seven nor more than thirty days before the hearing."; strike out rest of section. Line 17, strike out comma. Line 20, strike out comma. Line 22, after "thereof" insert ";"; strike out rest of line and line 23. Line 25, strike out "the", first word of line.

PAGE 377.

Line 11, strike out commas. Line 23, strike out "Floating docks and", insert "Revocable permits for".

PAGE 378.

Line 8, strike out comma. Line 10, strike out comma. Line 11, strike out comma. Line 18, strike out first comma. Line 19, strike out comma. Line 22, strike out commas.

PAGE 379.

Line 6, change “;” to “.”. Line 7, change “;” to “,” both times. Line 8, change “;” to “.”; strike out “And water” insert “Water”. Line 13, strike out comma. Line 15, strike out first comma. Line 21, at end of line insert “If a pier be set aside for recreation purposes the lower story thereof shall, subject to the provisions of this chapter, be open to use to vessels which bring merchandise to the city plying upon the canals, rivers and lakes of the state.”

PAGE 380.

Line 5, strike out comma. Line 6, strike out first comma. Line 13, strike out comma. Line 23, strike out “and upon such terms as”. Line 24, strike out to “in”; after “and”, insert “in”; strike out comma. Line 25, after “lease”, insert “other than for ferry purposes”; strike out “other than for fer-” insert “, except water front property within the jurisdiction of the park department,”. Line 26, strike out “ries,”; strike out comma.

PAGE 381.

Line 1, strike out comma. Line 3, strike out comma. Line 5, strike out comma. Line 6, strike out commas. Line 7, strike out comma. Line 9, strike out commas. Line 11, strike out commas. Line 15, after period strike out rest of page and insert “The owner or lessee of waterfront property may, with the consent of the commissioner, erect or maintain sheds upon such property upon such terms and conditions as may be prescribed in such consent; and such consent if accepted and acted upon, shall be revocable by the commissioner when authorized by resolution of the sinking fund commission, adopted after a public hearing upon not less than ten days’ notice by mail to the last known address of the person in possession of such property or his agent. This section shall not limit the rights of an owner or lessee of waterfront property who shall have heretofore erected sheds authorized by law.”

PAGE 382.

Lines 1 and 2 and 3, strike out. Line 4, strike out “Floating docks and structures”, insert “Revocable permits for structures”. Line 6, strike out commas. Line 11, strike out comma.

PAGE 383.

Line 1, strike out “;”, insert “,”. Line 2, strike out “;”, insert “,”. Line 3, strike out comma. Line 5, strike out comma. Line 12, strike out commas. Line 13, strike out comma. Line 17, strike out comma. Line 19, strike out comma. Line 22, strike out comma. Line 23, strike out comma.

PAGE 384.

Line 5, strike out commas. Line 6, strike out comma. Line 7, strike out “sinking fund commission”, insert “board of estimate”. Line 9, strike out comma. Line 10, strike out comma. Line 12, strike out comma. Line 13, strike out comma. Line 14, strike out comma. Line 17, strike out “sinking fund commission”, insert “board of estimate”. Line 18, strike out first comma. Line 21, strike out first comma. Line 22, strike out “into the city treasurer”, insert “to the chamberlain”. Line 23, strike out comma.

PAGE 385.

Line 10, strike out “dock”; before period insert “of ferries”; strike out line 11, insert “Article 3.”; strike out line 12, insert “Ferries.”; strike out lines 13, 14, 15. Line 16, change “983” to “980”. Line 17, change “984” to “981”. Line 18, change “985” to “982”. Line 19, change “986” to “983”. Line 20, change “987” to “984”; strike out rest of page.

PAGE 386.

Strike out.

PAGE 387.

Line 1, change “983” to “980”. Line 6, change “984” to “981”. Line 7, strike out “sinking fund commission” and insert “board of estimate.” Line 8, strike out comma, make “when-ever”, “when”. Line 9, strike out comma. Line 12, strike out comma. Line 14, change “985” to “982”. Line 15, strike out “be”, insert “is”. Line 16, strike out “be”, insert “is”. Line 17, strike out “sinking fund commission” and insert “board of estimate”. Line 18, strike out comma. Line 20, change “986” to “983”. Line 21, strike out comma. Line 23, strike out commas. Line 25, strike out comma.

PAGE 388.

Line 1, strike out comma. Line 2, strike out comma. Line 4, strike out comma. Line 5, strike out commas. Line 7, do not make paragraph; strike out comma. Line 8, strike out comma. Line 9, strike out “Such” insert “A”. Line 11, strike out last

comma. Line 14, change 987 to 984. Line 16, strike out first comma. Line 17, strike out first comma. Line 18, strike out after comma. Line 19, strike out "bidding". After line 20, strike out rest of page.

PAGE 389.

Strike out to line 9. Line 9, change "XXV" to "XXIII". Line 20, make "Restriction" "Restrictions".

PAGE 390.

Line 2, before period insert "of the department". Line 4, strike out "jurisdiction" insert "charge"; after "of" insert "Riverside drive, Harlem river driveway, the transverse roads in Central park,"; strike out second "and" insert ",". Line 5, after "ways" insert "and playgrounds"; strike out rest of line. Line 6, strike out "heretofore place" insert "now". Line 7, strike out "or the park commissioners,". Line 8, strike out first "the" insert "its"; strike out "of the department". Between lines 10 and 11 insert "2. Have jurisdiction and control of sidewalks immediately adjoining public parks and playgrounds.". Line 11, change "2" to "3"; strike out second "and" insert ",". Line 12, at beginning insert "playgrounds and". Line 13, change "3" to "4". Line 15, after "jurisdiction" insert ","; strike out rest of line and lines 16, 17. Line 18, change "4" to "5". Line 20, change "5" to "6". Line 21, strike out last word, insert ",". Line 22, strike out ";" insert "or playgrounds;"; strike out "therein" insert "in parks". Line 24, strike out last comma.

PAGE 391.

Strike out lines 1 and 2. Line 3, strike out "Permit" insert "have power to permit". Line 4, after "placed" insert "temporarily". Line 7, strike out "licenses" insert "permits". Line 9, strike out "be". Line 10, strike out "approved". Line 10, before ";" insert "approve". Line 12, strike out second "and" insert ","; after "parkways" insert "and playgrounds". Line 15, change "." to ";". Between line 15 and 16 insert "11. Have authority to set apart and authorize the use of a park or part thereof for the purpose of a childrens' farm or garden and equip the same." Line 19, after "parkways" insert ", playgrounds". Line 21, before "streets" insert "such". Line 22, strike out "licenses" insert "permits". Line 23, strike out comma. Line 24, strike out "board" insert "department". Line 25, strike out after period. Line 26, strike out to "water"; make water "Water".

PAGE 392.

Strike out "is" insert "may be". Line 2, strike out "hereby"; after "transferred" insert "by the sinking fund commission"; strike out "dock"; after "department" insert "of docks and ferries."; strike out "or" and strike out line 3. Line 10, strike out "shall" insert "may". Line 11, strike out "buildings of". Line 14, after period insert "The department may, upon conditions approved by the board of estimate, arrange with the United States of America for the latter to use the buildings and equipment of the Meteorological and Astronomical Observatory."; strike out "shall also" insert "may". Line 7, at end of line insert "Each of the institutions shall make annual report to the board of estimate in such detail as the board may require of its condition and affairs including compensation paid to its officers and employees.". Line 22, strike out "park board" insert "department". Line 24, at end of line insert ", playgrounds". Line 25, after "streets" insert "now".

PAGE 393.

Line 1, strike out "park board" insert "department"; strike out comma. Line 2, strike out comma. Line 3, after "for" insert "park purposes for"; strike out "the"; strike out "of". Line 4, strike out "in the parks". Line 7, strike out "park" insert "department". Line 8, strike out "board"; strike out commas. Line 10, strike out commas. Line 13, change "XXVI" to "XXIV". Line 21, strike out. Line 22, change "1017" to "1016". Line 23, change "1018" to "1017". Line 26, before period insert "of the department".

PAGE 394.

Line 9, strike out last letter "alterations". Line 10, strike out comma. Line 11, strike out comma. Line 16, strike out comma. Line 18, strike out as insert. Line 19, strike out. Line 21, strike out "such", after "therefor" insert; strike out rest of line. Line 22, strike out "board of estimate;". Line 23, strike out last comma. Line 24, strike out comma.

PAGE 395.

Line 7, before period insert ", subject to the approval of the commissioner of water, gas and electricity". Line 16, after "shall" strike out. Line 17, strike out "and shall", strike out "of tolls". Line 19, after period strike out. Strike out line 20. Line 23, strike out comma. Line 24, strike out "or", insert "and".

PAGE 396.

Line 3, strike out comma. Line 6, strike out comma. Line 17, after period insert "Resolutions of the sinking fund commission authorizing the lease shall be adopted only after a public hearing, notice of which shall have been published in the City Record for six consecutive days not less than seven nor more than thirty days before the hearing." Line 19, after "rentals" insert "shall be". Strike out "thereunder shall be", insert "by him and". After line 20 strike out rest of page.

PAGE 397.

Line 1, change "1017" to "1016". Line 4, change "1018" to "1017". Line 7, after "except" insert "of". Line 8, change "XXVII" to "XXV". Line 12, change "1049" to "1050". Line 19, strike out "ice and"; before period insert "and ice". Line 23, strike out "three", insert "five"; before period insert "of the department, and may appoint a sanitary engineer".

PAGE 398.

Line 1, after second "the" strike out, insert "city". Line 2, strike out "and Brooklyn". Line 4, strike out second ",", and all to "and". Line 5, strike out "light"; strike out ",", insert ";". Line 6, strike out "within". Line 7, strike out "said boroughs". Line 8, strike out "all". Line 12, after "park" insert "department", strike ", dock"; strike out "ferry department", insert "department of docks and ferries". Line 16, after "purpose" insert "including contracts for the removal of snow and ice, and the final disposition of ashes, garbage, street sweepings or other refuse and rubbish shall not be awarded or entered into until approved by the board of estimate, and". Line 17, strike out ",", insert "."; strike out rest of line. Line 18, strike out, insert "In an emergency, upon the written authorization of the mayor the". Line 19, after "may" insert ", without advertising or public letting,"; after "hire" insert "for temporary service men,". Line 20, after "for" insert "not more than three". Line 21, strike out "or trips". Line 22, after "dollars" insert ". This act shall not affect an existing contract made with the department for cleaning Broadway below Fourteenth street or the renewal thereof, if deemed best by the commissioner,"; strike out rest of line. Line 24, strike out "having control of street cleaning". Line 26, strike out second "such", insert "the".

PAGE 399.

Line 2, strike out "charged with street cleaning". Line 11, after "." insert "There shall continue to be in the department a

clerical force and an uniformed force. The existing ranks in each force shall continue until changed by the commissioner with the consent of the board of estimate. The commissioner may establish additional ranks in the clerical force and may, with the consent of the board of estimate, establish additional ranks in the uniformed force. Time actually served by a member of the clerical or uniformed force in the bureau of street cleaning in either of the boroughs of Queens or Richmond shall count for all purposes as if served in the department.”; strike out rest of line and all to line 19. Line 26, after “;” insert “false affidavits.”; strike out rest of line and line 27.

PAGE 400.

Between lines 8 and 9, insert: “Sec. 1050. Present pensions payable from fund.” Line 15, strike out first “,”; strike out “fifty”, insert “seventy-five”. Line 17, strike out commas. Line 19, strike out second “for”, insert “on”. Line 23, strike out “said”, insert “the”.

PAGE 401.

Line 4, strike out “,”. Line 5, strike out “,”. Line 7, after “receipts” insert “investments”. Line 9, strike out “said”, insert “the”. Line 10, strike out after “.”. Line 11, strike out insert “The commissioner of accounts and statistics”. Line 12, strike out “committee”. Line 14, strike out “said”, insert “the”. Line 16, after “;” strike out; insert “false affidavits.” Line 17, strike out to “All”. Line 19, after “.” strike out; strike out all to “A”, line 24.

PAGE 402.

Line 2, strike out “,”. Line 3, strike out first “,”. Line 6, strike out “:”. Line 7, strike out after “1.” to “sum”, insert “A”. Line 10, strike out second “,”. Line 12, strike out “pension”; strike out “.”, insert “;”. Line 19, strike out “sick or”; strike out “from any cause”. Line 21 strike out “,”; strike out “.”, insert “;”. Line 22, after “received” insert “by the city”. Line 26, strike out “.”, insert “, to be paid to the treasurer monthly;”.

PAGE 403.

Strike out lines “1, 2, 3”. Line 4, after “received” insert “by the city;” after “sale” insert “and disposal”. Line 5, strike out “refuse”, insert “street sweepings”; strike out “, and moneys re-”, insert “;”. Strike out lines “6” and “7”. Line 17, change “.” to “,”. Line 23, change “.” to “;” Line 25,

strike out "thereof.", insert ";"; at end of page insert "8. The assets of the relief and pension fund of the department of street cleaning;"

PAGE 404.

Line 7, strike out "sixty", insert "fifty-five". Line 8, strike out "-five"; strike out "continued", insert "continuous". Line 13, after "sum" insert ", in the discretion of the commissioner,"; at end of line insert "less than three hundred dollars nor more than". Line 14, strike out "exceeding". Line 19, strike out "one-fourth nor more than".

PAGE 405.

Line 1, strike out "a", insert "the"; strike out "not to", insert "of". Line 2, strike out "exceed". Line 4, strike out "a", insert "the"; strike out "not to exceed two", insert "of three". Line 7, strike out "a", insert "the"; strike out "not to exceed two", insert "of three". Line 11, strike out "a", insert "the"; strike out "not to exceed", insert "of". Line 14, strike out "a", insert "the"; strike out "not to exceed", insert "of". Line 19, at end insert "The term 'widow' as used in this article shall not include the widow of a member who became his wife after his retirement."

PAGE 406.

Line 1, strike out "not less than three physicians" insert "a majority of the medical examiners of the department". Line 2, strike out "cause, nature" insert "disease or disability from which the member is suffering". Line 3, at beginning insert "the"; strike out "of the member". Line 4, strike out "surgeons" insert "medical examiners". Line 6, after "any" insert "person now a"; strike out "who was a". Line 7, strike out. Line 8, strike out "hundred and eleven,"; after "member" insert "shall have consented or hereafter, prior to January first nineteen hundred and twelve,". Line 9, after "commissioner" insert ";"; strike out rest of line and line 10. Line 11, strike out to "and"; strike out "fails" insert "shall have failed". Line 12, strike out "the benefit" insert "become a beneficiary". At the end of page insert "Sec. 1050. Present pensions payable from fund. Pensions payable from the relief and pension fund of the department of street cleaning shall be payable from the pension fund."

PAGE 407.

Line 2, make license "licenses". Between lines 4, and 5 insert "Sec. 1612. Certificates and licenses of engineers and fire-

men." Line 5, change 1062 to 1063. Between lines 5 and 6 insert "§ 1064. Commissioner of agencies. Line 8, after "appoint" strike out. Line 9, at beginning insert "a"; before period insert "of the department"; strike out rest of line and down to line 14, and insert "Subject to the provisions of this act the department shall in relation to licenses and permits succeed to the powers and duties of the mayor and the bureau of licenses attached to the mayor's office." Line 15, at end of line insert ", suspending". Line 18, after "except" insert "licenses issuable under the general business law for employment agencies,". Line 19, strike out "specially". Line 21, after period insert "Licenses may be issued for exclusive cab stand privileges after sale at public auction or upon sealed bids in accordance with regulations established by ordinance." Line 22, after "may" insert "by order served upon the manager or person in charge of a licensed place of public exhibition or amusement suspend an exhibition therein, and if the order be not complied with revoke the license of such place."; strike out rest of line and line 23. Between lines 23 and 24 insert "§ 1062. Certificates and licenses of engineers and firemen. The commissioner shall have jurisdiction over the issuance, suspension and revocation of certificates of qualification to engineers and licenses to firemen, to operate or use steam boilers, except for railway locomotive engines and for heating purposes in private dwellings and boilers carrying not over ten pounds of steam and of not over ten horse power. Such certificates or licenses shall be issued, suspended or revoked only upon the recommendation of a board of examiners to be appointed by the commissioner, consisting of three members, one of whom shall be a member of the National Association of Stationary Engineers and one a member of the International Union of Steam Engineers and each a resident of the city and a duly licensed engineer or fireman of at least ten years' experience. The board shall make rules governing, and conduct examinations for ascertaining the fitness and qualifications of applicants for such certificates or licenses. Each member of the board shall receive ten dollars for each day's attendance at its meetings, and the expense of the board shall be paid by the city and provided for in the budget." Line 24, change 1062 to 1063.

PAGE 408.

Between lines 3 and 4 insert "§ 1064. Commissioner of agencies. The title of the officer exercising the powers and performing the duties within the city of commissioners of licenses, as provided in the general business law, shall hereafter be commissioner of agencies." Line 13, before "." insert "of the de-

partment". Line 18, strike out ","; strike out "shall have", insert "may". Line 19, strike out "over". Line 20, strike out "said". Line 23, strike out ",". Line 26, strike out ",".

PAGE 409.

Line 3, strike out ",'s". Line 6, strike out ",'s". Line 8, after "." strike out. Line 9, strike out "by statute or ordinances" insert ". The"; strike out "the". Line 12, strike out ",". Line 13, strike out after "Manhattan" insert ",". Line 16, strike out ",". Line 18, change "." to ",". Line 23, strike out ",".

PAGE 410.

Line 18, before "." insert "of the department".

PAGE 411.

Line 5, strike out "by twelve votes," insert ",". Line 9, after "co-operate" insert "A head of a department, board, body or office may, however, employ other architects to prepare plans and specifications for a building or structure without such authorization by the board of estimate but in such case the construction or alteration of such building or structure shall be supervised by the city architect." Line 11, strike out ",'s". Line 12, strike out ",".

PAGE 412.

Line 21, strike out first ",".

PAGE 413.

Line 18, strike out ",". Line 23, strike out ",'s".

PAGE 414.

Line 7, strike out comma. Line 12, strike out "or" insert "of" in "work or art". Line 21, strike out "consent of the board of estimate, and". Line 22, after period insert "The terms "building" or "structure", or their equivalent, as used in this chapter, shall not include a building or structure for water supply purposes; or a dock, pier, wharf or bulkhead, except a public building thereon."

PAGE 415.

Between lines 4 and 5 insert "1102. Power to investigate.". Line 5, change 1102 to 1103. Between lines 5 and 6, insert "1104. Veterans.". Strike out lines 12 and 13 and line 14 to "The". Line 15, before "." insert "of the department". Line 23, make "Statues" "status".

PAGE 416.

At end of line 2, insert " The commission may adopt rules providing, so far as practicable, for the regular employment of members of the labor class in the several departments, boards, bodies and offices.". Between lines 2 and 3, insert " Sec. 1102. Power to investigate. The commission may investigate the enforcement and effect of the civil service law and the rules and regulations prescribed thereunder, or concerning the action of any examiner or subordinate of the commission or of any person in the classified service of the city or a county in respect of the execution of the civil service law. For such purposes each commissioner and the secretary may administer oaths. The commission may subpoena and require the attendance of witnesses, and the production of books and papers pertinent to the investigations and inquiries hereby authorized, and to examine them and such public records as it may require in relation to any matter which it is required to investigate. For this purpose the commission shall possess all the powers conferred by the civil code upon a board or committee and invoke the power of a court of record to compel the attendance of witnesses or the testifying thereby.". Line 3, change " 1102 " to " 1103 ". Line 9, make " officer " " office ". After line 12, insert " Sec. 1104. Veterans. The veterans of the army and navy and volunteer fire department now in the service of the city or county, shall continue in such service with all of the rights and privileges now possessed by them.".

Line 23, strike out " mayor may establish a ", before "." insert " is continued " strike out " If so estab-". Line 24, strike out " lished ", strike out " the " insert " The ". Line 25, strike out " be ". Line 26, strike out " The mayor shall app-".

PAGE 417.

Strike out all to line and insert " The successors of the present appointive members of the commission shall be appointed for terms of five years each. A vacancy in the office of appointive member of the commission shall be filled for the balance of the unexpired term.". " The appointive members may be removed by the mayor for cause, after notice and an opportunity to be heard. The members of the board shall serve without compensation.".

PAGE 418.

At end of page insert " 1128. Designation of newspapers; publication notices. 1129. Notice of auction sales.".

PAGE 419.

Line 18, strike out " , , ".

PAGE 420.

Line 1, strike out "of the counties," insert "county within the city". Line 3, strike out "such" insert "a"; strike out last ",". Line 4, after "received" insert "in evidence"; strike out "as prima facie evidence of the". Line 5, strike out to "The". Line 11, strike out "inserted" insert "necessary". Line 12, strike out "," after "relates" insert "exclusively". Line 14, before "shall" insert "for publication thereof". Line 18, strike out ",'s", except last ",". Line 23, strike out second ",". Line 24, strike out first ","; strike out "following languages". Line 25, strike out "such" insert "each"; strike out "languages" insert "language"; strike out "as shall be". Line 26, strike out "-"; strike out " ,".

PAGE 421.

Line 2, after "such" insert "special". Line 10, before "." insert "and have been regularly published for at least one year". Line 16, strike out first " ,". Line 20, strike out first "comma". Line 21, strike out " ,".

PAGE 422.

Line 2, strike out " ,". Line 7, strike out " ,". Line 8, insert " ,", after "require". Line 13, strike out " ,". Line 23, strike out second " ,".

PAGE 423.

Line 3, strike out " ,", at end of line 17 insert "There shall be published in the City Record monthly, as a supplement on form, all ordinances which have taken effect since the last publication with the date of taking effect.". Between lines 17 and 18 insert "Sec. 1128. Designation of newspapers; publication of notices. Notwithstanding the provisions of a statute fixing the class or place of publication of a newspaper in which a legal notice must be published, if such a newspaper refuse to publish the notice at a rate not more than sixteen cents per agate line of thirty ems, the notice may be published in a newspaper of the same class published in the city, designated by the mayor; provided, however, that where the publication of a notice required by statute to be made in a daily newspaper can, as to the interval between publications, be complied with by its publication a weekly or semi-weekly newspaper it may be published as such weekly or semi-weekly newspaper for the required number of times and such publication shall be compliance with the statute; weekly nd semi-weekly newspapers may be designated by the mayor for the publication of notices in such cases.

The mayor may designate in writing a weekly law journal

published in said city, in which, or in the daily law journal designated under section ninety-seven of article four of chapter thirty of the consolidated laws, known as the judiciary law, shall at all times thereafter be published every notice and advertisement in legal proceedings which may be required by law to be published weekly in one or more papers in said city; and the publication of any such notice or advertisement in said weekly law journal shall be of the same force and effect as if published in said daily law journal as aforesaid.

Sec. 1129. Notices of auction sales. The mayor shall designate not less than two daily newspapers published in each county for the publication of notices of auction sales made by licensed auctioneers. If two daily newspapers be not published in a county he shall designate for such purpose at least two newspapers published therein of which one shall be a daily if there be one published in the county. The manner of sale, contents and publication of notice and kinds of goods, notice of the sale of which shall be required to be published in newspapers so designated, shall be regulated by ordinance."

Between lines 20 and 21 insert "2. Bureau of buildings (§§ 1145-1158)." Line 21, strike out "2" and insert "3"; strike out "1150-1159", insert "1160-1169". Line 27, strike out "Engineers and architects", insert "Superintendent of buildings".

PAGE 424.

Line 2, strike out. Line 3, change "1136" to "1135". Strike out lines 4 and 5. Line 6, change "1139" to "1136"; after "permits" insert "; funds". Line 7, change "1140" to "1137". Line 8, change "1141" to "1138". Line 8, change "1142" to "1139". Line 13, strike out "electors", insert "voters".

PAGE 425.

Line 2, strike out "encum-", insert "buildings". Line 3, strike out "branches" after "secretary", insert "of the borough". Line 6, strike out "but shall", insert ".". Line 7, strike out line to ".". Line 8, after "may" insert "by written instrument filed in his office"; strike out "relating". Strike out line 9. Line 10, after "commissioner" insert "or assistant commissioner". Strike out lines 11, 12 and 13 and insert "1133. Superintendent of buildings. The superintendent of buildings shall be an architect or builder of at least ten years' experience." Strike out lines 18, 19 and 20. Line 21, change "1136" to "1135". Strike out "Powers" insert "Jurisdiction". Line 23, strike out "power, charge and control of:" and insert "the

jurisdiction and duty". Line 25, after "curbing," insert "recurring".

PAGE 426.

Line 17, strike out "Construction, repair, care and maintenance of", insert "Constructing, repairing, caring for and maintaining". Line 25, strike out "." and insert ";". Strike out line 26 and insert "13. Certifying to the comptroller the expense incurred on account of an improvement within thirty days after the completion and final acceptance of the work; 14. Supplying the supreme court, held within the borough and the justices thereof, with room, furniture, heat, light, books, stationary and other supplies and, upon order of the court, jurors kept together during the progress of a trial or after retirement for deliberation with food and lodging."

Strike out pages 427, 428, and lines 1 and 9, inclusive, on page 429 and insert:

"Sec. 1136. Opening and replacing pavements; permits; funds. No opening or excavation shall be made in a street, nor shall a pavement be removed or the surface of a street disturbed until a permit shall have been obtained from the borough president. The replacing of excavated material in an opening, and a temporary relaying of the pavement shall be done by the permittee, but under the supervision of an inspector designated by the borough president. The permanent relaying of the pavement shall be done by employees of the borough president or by those having contracts with the borough president for such work. Prior to the issuance of any such permit the borough president shall require the deposit of such sum as he deem necessary to cover the permanent restoration of the pavement and backfill and paving inspection and all other expenses incidental thereto. Schedules of the amounts so required to be deposited for different classes of work shall be kept on public file in the office of the borough president, and may be amended by him from time to time as he may deem necessary. If an opening be made by a city department, no deposit shall be required but the fund for replacing pavements shall be reimbursed for the cost of the restoration by transfer by the comptroller of funds of the department upon the certificate of the borough president. If upon completion of the work it appear that the amount deposited as aforesaid was an overcharge, the permittee shall be entitled to a proportionate refund; but if the work of inspection and pavement restoration shall not have been covered by the deposit, a statement of the deficit shall be submitted to the permittee, and if pavement of such deficit be not made within ten days, the borough president shall transmit the claim to the corporation counsel who shall proceed to collect it,

and the borough president may refuse to grant a further permit to a party in default until such claim shall have been satisfied. There shall be for each borough in the office of the chamberlain a special continuing fund, to be known as the fund for replacing pavements, to which the amounts deposited transferred or collected as aforesaid in each borough shall be credited and from which the expense to the city of any work done under such permits shall be paid by the chamberlain on the order of the comptroller and certificate of the borough president. In case such fund shall at any time become depleted, the comptroller shall issue special revenue bonds to replenish it. This section shall not apply to a street railroad corporation unless expressly agreed to between such corporation and the borough president, but all street operations of such corporation which involve the disturbance of the pavement shall be subject to inspection under the direction of the borough president."

PAGE 429.

Line 10, change "1140" to "1137". Line 17, strike out ",". Line 19, change "1141" to "1138". Line 24, strike out ",".

PAGE 430.

Line 3, change "1142" to "1139". Line 5, after "president" insert "construction". Line 6, strike out "general" insert "adopted"; strike out "con-" insert "sewerage and drainage of the district." Line 7, strike out "struction of public sewers." Line 8, strike out "constructions" insert "construction". Line 9, strike out ",". Line 14, strike out ",".

PAGE 431.

Line 4, after "dent" insert "construction". Line 5, after "construction" insert "conforming to the adopted plan for the sewerage and drainage of the district". Line 6, strike out ",'s". Line 7, after "construction" insert ", supervision". Line 11, after "sewer" insert ","; strike out lines 16 to 27 inclusive.

PAGES 432-434.

Strike out pages 432, 433 and lines 1 to 8, inclusive, on page 434 and insert

"ARTICLE 2.**BUREAU OF BUILDINGS.**

Section 1145. Bureau of buildings.

1146. Jurisdiction of superintendent.

1147. Inspectors.

- Section 1148. Power to permit variation from law or ordinance.
1149. Appeals; board of examiners.
1150. Procedure on appeal.
1151. Removal of buildings or structures.
1152. Superintendent may prohibit occupancy.
1153. Right of entry.
1154. Permits for buildings; copies to be filed with tax department.
1155. Officers and employees forbidden to engage in building trades.
1156. Building code.
1157. City architect's jurisdiction not impaired.
1158. Height of buildings; restrictions as to ordinances regulating.

Section 1145. Bureau of buildings. There shall be a bureau of buildings in each borough, the head of which shall be the superintendent of buildings.

§ 1146. Jurisdiction of superintendent. The superintendent of buildings shall, within the borough, have jurisdiction and control of the construction, alteration, plumbing, drainage and removal of all buildings and other structures completed or in the course of construction, including the regulation of foundations, excavations or dangerous earth or rock conditions, except tenement-houses, waterfront property including buildings and structures thereon, bridges, tunnels, subways and structures, other than buildings, appurtenant thereto. He shall determine all questions relative to plans, construction and materials in the construction or alteration of buildings or structures within his jurisdiction and require the same to comply with statute and ordinances and the rules and regulations of the bureau relating thereto. No new fittings for the distribution of water in or outside of buildings shall be approved, except in conformity with standards established by the department of water, gas and electricity.

§ 1147. Inspectors. The superintendent of buildings shall appoint a chief inspector of buildings who shall be an architect, builder or engineer of at least ten years' experience. In case of absence or disability of the superintendent the chief inspector shall possess his powers and perform his duties. The superintendent may appoint inspectors who shall be architects, engineers, carpenters, plumbers, iron workers, masons or builders of at least five years' experience.

§ 1148. Power to permit variation from law or ordinance. If there be practical difficulties in carrying out the strict letter of a statute, ordinance, rule or regulation relating to the construction, alteration, plumbing, drainage or removal of a building or

structure, the superintendent with the approval of the borough president may permit a variation from or modification of its requirements so that the spirit of the statute, ordinances, rule or regulation shall be observed, public safety secured and substantial justice done. The owner of a building or structure, or his agent, may petition the superintendent for such variation or modification, stating the grounds therefor. The superintendent shall grant a hearing thereon upon a date fixed therefor and his decision when approved by the borough president shall be final. A copy of the petition and decision shall be filed in the bureau, and, if the petition be allowed, a certificate stating the reasons for such allowance, approved in writing by the borough president, shall be issued to the superintendent.

§ 1149. Appeals; board of examiners. If a superintendent reject or refuse to approve the plan, construction or materials proposed for the construction or alteration of a building or structure, or when it is claimed that the rules and regulations of the bureau or the provisions of statute or ordinance do not apply or notwithstanding that they apply that an equally good or more desirable form of construction can be employed with satisfactory result, the owner or his agent may appeal from the decision of the superintendent if the amount involved exceed the sum of one thousand dollars. Such appeal shall be heard by a board of examiners consisting of the fire chief and the following members: One member of the New York chapter and one member of the Brooklyn chapter of the American Institute of Architects, one member of the New York Board of Fire Underwriters, two members of the Mechanics' and Traders' Exchange of the city of whom one shall be a master mason and one a master carpenter, one member of the Society of Architectural Iron Manufacturers of the city and one member of the Real Estate Owners and Builders Association of the city who shall be an architect or builder. Each member, other than the fire chief, shall be appointed annually by the organization represented by him, and his appointment shall be certified by a secretary of such organization to the mayor, comptroller and superintendent of buildings of each borough. The board shall annually from its members choose a president. It may appoint and may remove a secretary, an assistant secretary and such other subordinates as may be needed and fix their salaries and compensation. Each member of the board including the fire chief shall receive ten dollars and the president an additional five dollars for each day's attendance at its meetings. The expenses of the board shall be paid by the city and provided for in the budget. The board shall meet upon notice from a superintendent of buildings or upon call of the president of the board.

§ 1150. Procedure on appeal. An appeal shall be taken within ten days after the entry of decision upon the records of the bureau by filing with the bureau and with the clerk of the board of examiners copies of all the papers filed with the bureau upon the application for the building permit. The board shall fix a day, within a reasonable time, for the hearing of the appeal, and upon the hearing the appellant may appear in person or by agent or attorney. No member of the board shall pass upon any question in which he is personally interested, and at least five affirmative votes shall be necessary to reverse or modify the decision appealed from. The decision of the board shall be rendered promptly and be final.

§ 1151. Removal of buildings or structures. A superintendent of buildings may order the destruction, alteration, repair or removal of a building or structure or part thereof which exists in violation of statute or ordinance or which by reason of structural defects or other conditions or circumstances is in his judgment dangerous to life; or he may order the removal of the debris of all fallen or burned buildings if he know or believe that persons be buried there under. If the order be not obeyed within twenty-four hours after service of notice upon the owner, agent or occupant of the building or structure or if there be imminent danger that the building or structure or part thereof may fall threatening public safety or obstruction of a street or if he know or believe that persons be buried under the debris or ruins of a burned or fallen building, the superintendent shall cause such building or structure or part thereof to be shored up or made safe or the building or structure to be destroyed and removed or the debris or ruins of a burned or fallen building to be removed. Notice to comply with the order shall be served, subsequent proceedings in case of assent to the order shall be had or taken, or in case of refusal or neglect to comply with the order a survey of the building, structure or premises and all rights, remedies and procedure in connection therewith, including trials, orders, precepts, taxation of costs and judgments shall be had and taken in the supreme court, which is hereby given jurisdiction thereof, by the officers and in the manner provided therefor by the code of ordinances. Enforcement of collection of all expenses connected therewith may be enforced by sale of the premises, as provided in the code of ordinances, and the city may maintain an action against the owner or lessee of the real property upon which the building or structure or part thereof or debris or ruins is situated for the recovery of the deficiency, if any, of such expenses remaining after such sale. All expenses incurred in connection with any such distruction, alteration, repair or removal of a

building, structure, debris or ruins or the enforcement of such an order and the proceedings had subsequent thereto shall, from the time of the filing of the notice of pendency provided for in the code or ordinances in the office of the county clerk in which the building, structure or premises is situated be a lien thereon having priority over all other liens, except taxes and assessments, and be enforced by sale of the premises as hereinbefore provided. The expense incurred by the department shall be defrayed out of the proceeds of special revenue bonds.

§ 1152. Superintendent may prohibit occupancy. If in the judgment of the superintendent of buildings a building or structure or part thereof by reason of structural defects or other conditions or circumstances be unsafe for occupancy, he may summarily order and enforce the temporary suspension of the use or occupancy of or access to the building until the same be rendered safe for occupancy and the enforcement of such order shall not be stayed by survey proceedings. Such order shall be served upon the owner, agent or occupant of the building or structure. The superintendent may call upon the police department to assist in enforcing compliance with the order.

§ 1153. Right of entry. The superintendent of buildings, a chief inspector or an inspector may enter, examine or inspect a building or structure or part thereof or place therein completed or in the course of construction, provided that no such entry be made into an occupied building or structure between sunset and sunrise, except by the superintendent, chief inspector, an inspector or pursuant to a written order of the superintendent or chief inspector specifying the reason therefor, which order shall be first exhibited to and a copy served upon the occupant of the building or structure, or part thereof, to be entered and examined.

§ 1154. Permits for buildings; copies to be filed with tax department. Whenever a permit shall have been granted for the construction, alteration or removal of a building or structure, the superintendent shall notify the tax department, within ten days, of the granting of such permit, designating the lot and block or tax number upon the tax map of the premises and the estimated cost of the improvement.

§ 1155. Officers and employees forbidden to engage in building trades. An officer or employee of the bureau shall not engage or be interested as principal, agent or stockholder in business as an architect, civil engineer, carpenter, plumber, iron worker, mason or builder or in the manufacture or sale of articles used in the construction of buildings.

§ 1156. Building code. The building code now in force subject to amendment and repeal, is hereby continued as a chapter of

the code of ordinances until superseded and shall have the force and effect of statute, except that it may be amended or repealed as are ordinances. In the preparation or revision of the building code the board of aldermen may employ experts and fix their compensation.

§ 1157. City architect's jurisdiction not impaired. This article shall not be construed to abridge or limit the powers and duties of the city architect in respect of the preparation of plans for, and the supervision of work upon public buildings or structures, except that all public buildings or structures shall be required by the bureau to conform in all respects to the provisions of all statutes, ordinances and rules and regulations of the bureau regulating the construction, alteration or removal of buildings.

§ 1158. Height of buildings; restrictions as to ordinances regulating. The height of buildings and structures to be erected in the city may be restricted and regulated by ordinance, provided that when an ordinance on such subject be introduced the board of aldermen shall provide for public hearings thereon before the board or a committee thereof and no such ordinance shall be passed except by majority of all of the members of the board and shall not take effect until approved by the board of estimate by a vote of members entitled to cast at least twelve votes. Such an ordinance may be limited in its application to a part of the city."

PAGE 434.

Line 10, change "2" to "3". Line 11, change "1150" to "1160". Line 12, change "1151" to "1161" before "." insert "; how filled". Line 13, change "1152" to "1162". Line 14, change "1153" to "1163". Line 15, change "1154" to "1164". Line 16, change "1155" to "1165". Line 17, change "1156" to "1166" before "." insert "and copies of verdicts.". Line 18, change "1157" to "1167". Line 19, change "1158" to "1168". Line 20, change "1159" to "1169". Line 21 change "1150" to "1160".

PAGE 435.

Line 3, strike out to "The". Line 5, change "1151" to "1161". Line 6, at end of line insert "side at a meeting of the aldermen elected from the borough. The". Strike out lines 7 and 8. Line 10, at beginning of line insert "elected from the borough, but in the event of a tie vote the mayor". Line 16, change "1152" to "1162". Line 17, strike out "herein" insert "in this act". Line 20, strike out ".". Line 22, change "1153" to "1163". Line 23, strike out "shall" insert "may".

PAGE 436.

Line 6, change "1154" to "1164". Line 14, strike out ",".

Line 18, change "1155" to "1165". Line 26, change "1157" to "1167".

PAGE 437.

Line 8, change "1158" to "1168". Line 11, strike out ",". Line 13, change "1159" to "1169". Line 15, strike out ",". Line 16, strike out ",". Line 17, change "XXXVI" to "XXXIV". Line 19, change "1174" to "1173". Line 20, strike out "of local boards", insert "and procedure"; change "1881" to "1185"; strike out line 21. Line 22, change "4" to "3"; strike out "for local improvements"; insert "board of assessors". Line 24, change "5" to "4". Line 25, change "1219" to "1220".

PAGE 438.

Line 3, strike out "1170. Assessment defined". Line 4, change "1171" to "1170". Line 5, change "1172" to "1171". Line 6, change "1173" to "1172". Line 7, change "1174" to "1173". Strike out lines 8, 9 and 10. Line 11 change "1171" to "1170". Line 6, change "1172" to "1171". Line 17, strike out "quotation mark". Line 18, strike out "quotation mark". Line 19, strike out ",". Line 24, after "to" insert "local". Line 26, strike out "proposed", strike out ",", strike out "initiated", insert "proposed".

PAGE 439.

Line 5, change "1173" to "1172". Strike out line 9 after ".". Strike out lines 10 and 11. Line 12, change "1174" to "1173". Line 16, strike out ",". Line 18, strike out "president"; strike out ",". Line 20, strike out first ",", insert "and"; strike out "and determinations". Line 21, after "," insert "certify the same". Line 22, strike out ",". Line 23, strike out ",", and all after ". ". Line 24, strike out to "The".

PAGE 440.

Line 2, strike out "of local boards" and insert "and procedure". Between lines 4 and 5 insert "1185. Petition for local improvement. 1186. Duty of president on receipt of petition. 1187. Local board; proceedings after petition. 1184. Action of borough president on resolution of a local board. 1185. Board of estimate to act; assessment of expenses." Line 6, strike out "where the ex-". Strike out line 7, and line 8 make paragraph "1. To propose to the board of estimate a local improvement for any of the following purposes within the district: To".

Strike out line 9. Line 10, strike out "land", insert "real property". Line 13, strike out "lay, relay". Line 15, after ";" strike out, and to "dig", on line 16, strike out. Line 17, after "." insert "2. To authorize, without the approval of the board of estimate, local improvements for such purposes which do not involve the acquisition of real property, the expense of which is to be assessed wholly upon property within the district deemed to be benefited and the estimated expense of which in any one calendar year shall not exceed in the aggregate the amount limited therefor by the board of estimate." Strike out rest of page.

PAGE 441.

Strike out all to line 10. Line 10, change "1185" to "1181". Line 11, strike out "initiate", insert "propose or authorize". Line 13, strike out "borough president", insert "secretary of the borough"; after "by" insert "a member of the local board or by". Line 15, strike out "for such improvement"; after "or" insert "by". Line 16, strike out "thereof be"; strike out "to the petition", insert "thereto". Line 17, change "1186" to "1182". Line 19, strike out "received by", insert "filed with the secretary of the borough"; strike out "he". Line 23, strike out "his", insert "the"; after "office" insert "of the secretary of the borough". Line 24, strike out ",'s".

PAGE 442.

Line 3, change "1187" to "1183". Line 5, before "authorize" insert "propose or"; strike out "institution of pro-". Line 6, strike out "ceedings for". Strike out lines 7, 8, 9 and 10. Line 11, change "1189" to "1185"; change ";" to "." Line 12, strike out "liens"; strike out first "the", insert "a"; strike out after ";" rest of line, insert "propose to the board of estimate". Line 13, strike out "of a proceeding for"; strike out "it", insert "the secretary of the borough"; strike out "thereupon". Line 14, strike out "such", insert "the"; strike out comma. Line 15, strike out "and approve or disapprove the same". Line 16, strike out "to the borough president". Line 17, strike out after period; strike out line 18 to "local"; insert "No" at end of line; insert "proposed by a local board". Line 19, after "authorized" insert "by the board of estimate"; strike out "the", insert "it". Line 20, strike out "board of estimate"; strike out "the", insert "it". Line 21, strike out "board"; strike out last comma. Line 22, strike out comma. Line 23, strike out comma. Line 24, after period, strike out rest of page.

PAGE 443.

Line 1, change "4" to "3". Line 3, strike out "for local improvements", insert "by board of assessors". Line 4, at end of line, insert "or borough". Line 8, make "certificates" "certificate"; strike out rest of line; insert "of comptroller.". Line 10, strike out after period, insert "Pavements". Strike out lines 13 and 14. Line 15, change "1206" to "1204". Line 18, change "1207" to "1205". Line 19, change "1208" to "1206". Between lines 9 and 20 insert "1207. Award of damages for change of grade. 1208. Payment of awards; action for.". Line 23 strike out period and insert "not required to be confirmed by a court of record.". Strike out rest of line and lines 24 and 25. Line 26, after "city" insert "or borough."

PAGE 444.

Line 3, strike out "portion of"; strike out "of a local improvement." Line 4, before "." insert "of a local improvement the assessment for which is not required to be confirmed by a court of record". Line 7, at end of line insert "Upon written designation filed with the secretary of the board of assessors the". Line 8, strike out "The". Line 10, after "commissioner" insert "."; strike out rest of line and lines 11 and 12. Line 14, strike out ";". Line 15, after "merits" insert "an". Line 17, after "to" insert "such". Line 18, after "confirm" insert "such". Line 19, after "correct" insert "such", after second "and" insert "then". Line 20, after "return" insert "such". Line 21, strike out ",". Line 23, after "If" insert "such".

PAGE 445.

Line 4, strike out "s on which assessments are made", insert "of comptroller"; strike out "Assess-". Line 5, strike out "ments". Line 5, strike out "following cer-", insert "certificate of the comptroller"; strike out line 6. Strike out lines 7, 8, 9. Line 10, strike out "assessors". Line 11, after "account" insert "the improvement including"; strike out rest of line and lines 12, 13 and 14. Line 15, strike out "amounts of". Line 18, strike out ".", insert ", in accordance with the determination of the board of estimate as to the proportion to be borne by the property deemed benefited." Line 19, strike out "thereafter". Line 20, strike out "aggregate"; strike out "of such", insert "so certified." Strike out lines 21 and 22.

PAGE 446.

Strike out whole page and insert:

"Sec. 1201. Street pavements. Street pavements shall be divided into two classes, permanent pavements and preliminary pavements. The board of estimate shall from time to time determine and designate the kinds of pavement to constitute each class and its determination shall be final. If a pavement when laid be a permanent pavement, it shall not thereafter be deemed to be a preliminary pavement.

"No street or portion thereof that shall have been paved with a permanent pavement the whole or any part of the expense of which shall have been paid by the owners of property on the line of the improvement shall be repaved as a local improvement unless the owners of at least one-half in linear feet of the property on the line of the improvement petition for the same as a local improvement.

"If a street or portion thereof heretofore or hereafter paved or repaved with a preliminary pavement be repaved, it shall be repaved with a permanent pavement as a local improvement unless the owners of at least one-half in linear feet of the property on the line of the improvement petition for a repaving with preliminary pavement as a local improvement.

"When a permanent pavement be laid to replace a preliminary pavement or a preliminary repavement with a preliminary pavement the expense of which shall have been assessed in whole or in part upon property on the line of the improvement, only the remainder of the cost of such permanent pavement shall be assessed upon property on the line of the improvement after deducting the expense of such preliminary pavement or repavement and the part of such cost provided to be borne by the city or a borough. No part of the expense of paving within preliminary pavement shall be deducted from the expense of repaving with a preliminary pavement as a local improvement."

PAGE 447.

Strike out to "The", line 6. Line 11, strike out "to". Line 16, strike out ",". Line 17, strike out ",". Line 18, strike out ",". Line 19, strike out last ",". Line 20, strike out ",". Line 23, strike out ",".

PAGE 448.

Line 2, strike out ",". Line 3, strike out ",". Line 13, strike out ",". Line 18, strike out ",". Line 20, strike out ",". Line 26, strike out ",".

PAGE 449.

Line 1, strike out “,”. Line 3, strike out “,”. Line 10, strike out “,”, insert “and”. Line 12, strike out “,”. Line 13, strike out first “,”. Line 16, strike out “,”. Line 20, strike out “,”. Line 24, strike out “,”.

PAGE 450.

Line 3, strike out “,”. Line 13, strike out “,’s”. Line 14, strike out “,”. Line 15, strike out “,’s”. Line 21, strike out last “,”.

PAGE 451.

Line 5, strike out “,”. Line 11, strike out “,”. Line 12, strike out “,”. Line 19, strike out last “,”. Line 21, change “5” to “4”. Line 24, strike out after “1216”, insert “Procedure”.

PAGE 452.

Between lines 3 and 4 insert “1220. Assessment defined.” Line 8, strike out “,”. Line 9, strike out “,”. Line 10, strike out “article”, insert “act”. Line 11, strike out after “1216.” to “,”, insert “Procedure.” Line 18, after “,” strike out; strike out lines 19, 20, 21, line 22, strike out “cease.”; strike out “an”; strike out “irregularity”, insert “want of authority; fraud or substantial error other than an irregularity specified in the next section”.

PAGE 453.

Line 1, after “,” insert “If such assessment shall have been reduced and there shall have been paid on account of the assessment a sum in excess of the amount of the assessment as reduced the chamberlain shall refund such excess with such interest.”; before “appear” insert “shall”. Line 3, after “authority” insert “and that a parcel of property assessed has not received any benefit from the improvement”. Line 4, strike out “same”, insert “assessment as to such parcel”; strike out “all”, insert “the”; after “thereon” insert “, if any,”. Line 5, before “,” insert “and the chamberlain shall refund the same”. Line 13, after “therefor” insert “,”. Line 14, after “duty” insert “,”; after “any” insert “technical”; after “irregularity” insert “,”; strike out rest of line and line 15 to “and”. Line 16, strike out “, except as aforesaid,”.

PAGE 454.

Line 3, strike out “, not void for”. Line 4, strike out “want of authority,”. Line 7, strike out after “,”; strike out lines 8, 9 and 10. Between lines 13 and 14 insert “§§ 1220. Assessment defined. The word “assessment”, wherever used in this article,

means an assessment for a local improvement confirmed other than by a court of record." Line 14, change "XXXVII" to "XXXV". Line 16, strike out ",". Between lines 18 and 19 insert "1233. Contracts other than open market orders without public letting." Line 19, change "1233" to "1234", strike out "Extra or", make "additional" "Additional". Line 20, change "1234" to "1235". Line 21, change "1235" to "1236". Line 22, change "1236" to "1237", make "indorsement" "endorsement". Line 23, change "1237" to "1238". Line 24, change "1238" to "1239". Line 25, change "1239" to "1240".

PAGE 455.

Line 1, change "1240" to "1241". Line 3, change "1241" to "1242". Line 4, change "1242" to "1243". Line 5, change "1243" to "1244"; strike out "pavements", insert "articles". Line 8, after "supplies" insert ",". Line 10, strike out ",". Line 15, strike out ",". Line 16, after "estimate" insert "as provided in this chapter"; strike out rest of line and line 17; strike out "twelve votes". Line 18, after "contract" insert "made". Line 19, after "and" insert "shall".

PAGE 456.

Line 1, strike out ",", insert ";". Line 18, strike out ",".

PAGE 457.

At beginning of page insert "§ 1233. Contracts other than open market orders without public letting. Contracts other than open market orders may be made without advertisement and public letting when authorized by the board of estimate by the votes of members entitled to cast at least twelve votes." Line 1, change "1233" to "1234". Line 11, change "1234" to "1235". Line 20, change "1235" to "1236". Line 21, strike out ",'s".

PAGE 458.

Line 7, after "to" insert "cast". Line 10, strike out ",". Line 16, change "1236" to "1237". Line 10, strike out "or", insert ";"; after "into" insert "or become binding". Line 24, after "shall" insert ", if funds be available,". Line 25, after "and" strike out and strike out line 26.

PAGE 459.

Line 1, strike out "contract, the comptroller"; strike out "hold", insert "set aside"; after "retain" insert "for the payment thereof an amount sufficient"; strike out "such sum".

Line 2, after "the" insert "estimated"; after "expense" strike out rest of line and insert "of fully executing the contracts." Line 3, strike out to "Such"; strike out ",'s". Line 13, change "1237" to "1238".

PAGE 460.

Line 10, change "1238" to "1239". Line 11, strike out ",'". Line 12, strike out first ",'".

PAGE 461.

Line 4, change "1239" to "1240"; strike out ",'". Line 5, after "work" insert ",'". Line 7, strike out "unless otherwise provided by ordinance,". Line 17, change "1240" to "1241".

PAGE 462.

Line 8, change "1241" to "1242". Line 18, change "1242" to "1243". Line 24, change "1243" to "1244"; strike out "pavements.", insert "articles. Except for repairs, patented"; strike out "Patented". Line 25, strike out "and", insert "or"; strike out "in", insert "under".

PAGE 463.

Line 1, at beginning of line insert "under conditions". Line 2, at end of line insert "A freeholder or householder shall not be required to purchase or use a patented article on a building or structure or in a street unless there shall have been fair and reasonable opportunity for competition under conditions and in accordance with rules and regulations prescribed by the board of estimate." Line 3, change "XXXVIII" to "XXXVI". Line 5, change "1262" to "1260". Line 9, strike out "the". Line 23, strike out and line 24. Line 25, make "1261" "1260". Line 26, strike out.

PAGE 464.

Line 4, strike out ",'". Line 5, strike out ",'". Line 9, strike out ",'". Line 11, strike out first ",'". Line 13, strike out ",'". Line 15, strike out ",'". Line 17, strike out ",'". Line 18, strike out ",'". Line 22, strike out ",'". Line 23, strike out ",'". Line 27, strike out ":'".

PAGE 465.

Line 1, after "Designate" insert "and redesignate"; after "city" insert "or county"; strike out ",'". Line 2, strike out ",'". Line 5, strike out ":'" insert ",'". Line 8, before ":'" insert "or a county,"; strike out ":'". Line 11, strike out "may". Line 13, after "Designate" insert "and redesignate". Line 14, strike out ",'". Line 15, strike out ",'". Line 22, strike out ",'", insert ",'".

PAGE 466.

Line 1, strike out “,s”. Line 3, strike out “,”. Line 4, strike out “,”. Line 5, insert “shall”. Line 12, strike out “,”. Line 13, strike out first “,”. Line 18, before “sal” insert “such”. Line 19, strike out first “,”.

PAGE 467.

Line 3, strike out “,”; after “and” insert “that”. Line 4, strike out “that”. Line 5, after “and” insert “that”; strike out “shall”. Line 9, strike out “any” insert “a”. Line 10, strike out “,”. Line 11, strike out “,”. Line 19, strike out “,s”. Line 20, make “owners” “owner”. Line 21, strike out “a”.

PAGE 468.

Line 2, strike out comma. Line 11, strike out comma. Line 13, strike out “or” first occurring. Line 14, strike out first “the”; strike out “of the city”. Line 16, strike out comma. Line 18, strike out comma, last on line. Line 21, strike out comma.

PAGE 469.

Line 5, strike out “shall” insert “may”, after line 9, strike out rest of page.

PAGE 470.

Strike out lines 1 and 2. Line 3, strike out 1264, insert 1260. Line 4, strike out “:”. Line 6, insert “,” after “purposes”. Line 7, at end of line insert “by city;” strike out line 8. Line 10, strike out “.” insert “;”; strike out lines 13, 14 and 15. Line 27, strike out “.”.

PAGE 471.

Line 1 to 7 inclusive, strike out, insert “purchase, devise or gift, dedication, grant or cession, exchange, eminent domain, or lease. Line 10, strike out comma. Line 17, before period insert “; but no resolution authorizing the acquisition of real property for street purposes shall be adopted by the board unless the proposed improvement shall have been laid out on the city map.” Line 20, strike out second comma. Line 21, strike out first comma.

PAGE 472.

Line 1, after “When” insert “authorized to acquire real property”; strike out “be”; line 2, strike out to “may”. Line 4, strike out first comma; strike out “in case”; insert “if”. Line 5, strike out “.”. Line 6, strike out first and second “,”. Line 8, after “board” insert “of estimate”. Line 10, strike out “shall have”, insert “may”. Line 11, strike out “power to”. Line 24, strike out “does”, insert “shall”.

PAGE 473.

Line 2, at beginning of line insert "The city of New York, or Columbia College, used and occupied". Line 4, strike out. Line 16, change "XXXIX" to "XXXVII". Line 17, strike out "Procedure", insert "Proceedings". Line 19, change "1291" to "1294". Line 21, before "." insert ", parks, docks, ferries and sewers"; change "1332" to "1329".

PAGE 474.

Line 7, make "Amendments" "Amendment". Line 10, after "to" insert "institute proceedings,". Line 11, after "clerks" insert ", stenographers". Between lines 11 and 12 insert "1286. Notice of application for appointment of commissioners; how posted." Line 12, change "1286" to "1287". Line 13, change "1287" to "1288"; make "Appeal" "Appeals". Line 14, change "1288" to "1289". Line 15, change "1289" to "1290". Line 17, change "1290" to "1291". Between lines 17 and 18 insert "Sec. 1292. Tax appraiser competent as witness. Sec. 1293. Damages to buildings, owned may accept cost of removal." Line 18, change "1291" to "1294". Line 20, change "mean" to "means". Line 23, strike out ",". Line 26, strike out last ",". Line 27, change "." to ",".

PAGE 475.

Line 2, strike out ",". Line 3, strike out ",". Line 4, strike out "Court.", "The", insert "court," "the". Line 7, strike out "s"; strike out ".", insert ",". Line 13, strike out ",". Line 21, strike out ",".

PAGE 476.

Line 2, change "." to ",". Line 4, after "assessment" insert ",". Line 5, change "." to ",". Line 7, after "assessment" insert ",". Line 9, strike out "the", insert "a". Line 14, strike out "some", insert "a". Line 17, strike out ","; strike out "that I will". Line 19, strike out ",". Line 24, strike out ",". Line 26, make "amendments" "amendment".

PAGE 477.

Line 2, strike out "any", insert "a". Line 3, strike out first ","; strike out "any", insert "an". Line 4, strike out "said", insert "the". Line 8, strike out "shall"; strike out "or" each time occurring. Line 9, strike out first three "or" after "removed"; strike out ",". Line 10, strike out "at any time". Line 11, strike out last ",". Line 12, strike out ","; strike out "any", insert "a". Line 13, strike out ",". Line 17, strike out ",".

Line 19, strike out “;”. Line 23, strike out “;”. Line 24, strike out “;”. Line 25, strike out “;”.

PAGE 478.

Line 8, strike out “;”. Line 13, after “to” insert “institute proceedings,”. Line 14, after “.” insert “When the acquisition of title to real property for public use shall have been authorized the corporation counsel shall institute a proceeding for such purpose.”. Line 15, strike out second “;”. Between lines 20 and 21 insert: “Sec. 1286. Notice of application for appointment of commissioners; how posted. When handbills are required by statute to be posted they shall be affixed with paste or other adhesive substance and proof of such affixing shall be sufficient without proof that such notice remained posted.” Line 21, change “1286” to “1287”. Line 22, strike out “;”. Strike out line 23. Line 24, strike out “amended and supplemented”, insert “the rapid transit act”; strike out “;’s”. Line 25, strike out “;”.

PAGE 479.

Line 3, strike out “;”. Line 6, change “1287” to “1288”; strike out “the”. Line 9, strike out “;’s”. Line 11, strike out “;”. Line 18, strike out “;”. Line 19, strike out “;”. Line 20, strike out “;”. Line 25, strike out “;”. Line 26, strike out “shall be”, insert “is”.

PAGE 480.

Line 1, strike out “;”. Line 6, change “1288” to “1289”; strike out “authorized”. Line 13, strike out “;”. Line 15, strike out “;”. Line 16, strike out “;”. Line 21, strike out “;”. Line 23, strike out “those”, insert “the”. Line 24, strike out “;”. Line 25, change “1289” to “1290”; after “Notice” insert “of confirmation”; strike out “any”, insert “a”. Line 26, strike out “on”, insert “in”.

PAGE 481.

Line 1, strike out comma. Line 3, strike out comma. Line 6, change “1290” to “1291”. Line 8, strike out first comma. Line 9, strike out commas. Line 10, strike out commas. Line 12, strike out “be”, insert “is”; strike out comma. Line 15, strike out “;”, insert “;”. Line 18, strike out “said”, insert “the”. Line 19, strike out “be and”. Line 20, strike out comma. Between lines 21 and 22 insert “Sec. 1292. Tax appraiser competent as witness. In any proceeding under this chapter a tax appraiser shall be a competent witness as to value”. “Sec. 1293. Damages to buildings; owner may accept cost of removal. In the case of real property acquired for public use upon which there is

a building or structure the sinking fund commission may, prior to confirmation of the report of the commissioners of appraisal, agree, if title have not vested in the city, with the owner thereof or any person having a beneficial interest therein and, if title have vested in the city, with the person entitled to the award therefor that such building or structure may be removed and that the damages to be awarded shall be the cost of the removal thereof, such cost of removal to be determined by the commissioners of appraisal appointed in the proceeding to acquire the same. The commissioners of appraisal where such an agreement has been made shall determine the cost of removal and include the same in their report and the commissioner of assessment shall include the amount of such award in the assessment. The agreement shall provide that any such building or structure shall not be located or re-located within the lines of a proposed street or public improvement and in case of breach of such condition the title of the owner to the building or structure shall be divested and vest in the city. The sinking fund commission may also sell buildings or structures acquired by the city and not needed for public use and may as a condition of the sale at private sale of the city's interest in any building or structure acquired by the city, as to which no agreement has been made, provide as a condition that such building or structure shall not be located or re-erected within the lines of any proposed street or other public improvement; and if such a building be sold at public auction prescribe similar conditions in the terms of sale. and if in either case there shall be a breach of the condition the title of the owner thereto shall be divested and vest in the city." Line 22, change "1291" to "1294". Line 23, strike out "of any nature".

PAGE 482.

Line 3, strike out "made", insert "commended". Line 5, strike out ",", insert "Proceedings to acquire". Line 6, strike out, insert "real property for street purposes, parks, docks, ferries and". Line 10, after "and" insert "ap". Line 18, make "ascertain" "ascertain".

PAGE 483.

Line 1, strike out ",", insert "1313. Reports to be filed.". Line 5, strike out "of land required for streets". Line 10, strike out "for assistants," insert "." Strike out lines 11 and 12. Line 13, strike out "expenses and" before period, insert "and expenses". Line 21, strike out rest of page.

PAGE 484.

Lines 1 and 2, strike out; insert "1327. Report of assessment to be transmitted to chamberlain.". Line 3, change "1331" to

"1328"; make "assessments" "assessment"; make "awards" "award". Lines 4 and 5 strike out. Line 6, change "1333" to "1329". Line 10, after first "of" insert "the"; strike out "property". Line 14, strike out first comma. Line 23, insert "ap" before "portion". At end of line 24 insert "of estimate".

PAGE 485.

Line 1, strike out ",". Line 5, strike out ",". Line 9, strike out ",". Line 14, strike out to "The" insert "to the chamberlain.". Line 23, strike out ",". Line 25, strike out ",". Line 26, strike out "s".

PAGE 486.

Line 4, strike out ",". Line 8, strike out ",". Line 9, strike out first ",". Line 10, strike out "authorized by this title". Line 11, strike out ",". Line 14, strike out ",". Line 15, strike out ",". Line 20, strike out "of the city". Line 21, strike out "or drains". Line 21, strike out "it". Line 22, strike out "shall be the duty of"; after "counsel" insert ","; strike out "immediately". Lines 23 and 24, strike out to "upon". Line 25, strike out "due"; strike out "duty"; strike out "six" insert "ten".

PAGE 487.

Line 1, strike out ",". Line 4, strike out ","; strike out "to" insert "shall". Line 6, insert "," after "appraisal". Line 12, strike out last ",". Line 20, strike out ", Sun-". Line 21, strike out to "shall".

PAGE 488.

Line 2, strike out after "commissioners". Line 3, strike out to "shall". Line 5, strike out "Any", insert "A". Line 6, strike out ",". Line 9, strike out ",". Line 11, strike out "may". Line 12, strike out "In case", insert "If". Line 14, strike out last ",". Line 16, strike out ",". Line 18, strike out ",". Line 19, strike out ",". Line 20, strike out "Such", insert "The". Line 22, strike out ",". Line 24, strike out "such successor", insert "him".

PAGE 489.

Line 2, strike out "shall"; strike out "it". Line 3, after "assessment" strike out line, insert ".". Line 6, strike out ",". Line 8, strike out ",". Line 9, strike out ",". Line 10, strike out "said". Line 11, strike out "said", insert "the"; strike out ","; strike out "such further". Line 12, strike out "or"; make "times" "time"; "places" "place"; strike out "as the commissioners may appoint", insert "appointed by the commissioners". Line 14, strike out "such", insert "the". Line 16,

strike out "same", insert "title". Line 18, strike out ","; strike out "said", insert "the". Line 20, strike out "any", insert "a". Line 22, strike out ",".

PAGE 490.

Line 1, strike out ",". Line 2, strike out ",". Line 4, strike out "fault", insert "default". Line 9, strike out ",". Line 17, strike out "any", insert "a". Line 21, strike out "such", insert "the"; strike out "which is". Line 22, strike out "for benefit". Line 23, strike out ",". Line 25, strike out ",".

PAGE 491.

Line 2, strike out "any board", insert "the head of a"; strike out "or officer", insert "board, body or office". Line 4, strike out after "counsel", insert "shall, if the head of a". Line 5, strike out "board,"; strike out "or officer", insert "board, body or office". Line 6, after "writing" insert ",". Line 7, strike out ",". Line 8, strike out "he". Line 14, strike out first ",". Line 20, after "property" insert "deed". Line 24, strike out "any and all such", insert "the".

PAGE 492.

Line 3, strike out last ",". Line 5, strike out first ",". Line 8, strike out first ",". Line 24, after "property" insert "deemed"; strike out last ",". Line 25, strike out to "shall"; strike out ",", insert "."; strike out lines 26 and 27.

PAGE 493.

Strike out line 1 to "The". Line 2, strike out "in no case", insert "not". Line 6, strike out "any", insert "a". Line 18, strike out first ",". Line 19, strike out "Whenever", insert "When". Line 21, strike out ",".

PAGE 494.

Line 16, strike out ",". Line 17, strike out last ",". Line 21, strike out ",".

PAGE 495.

Line 4, strike out ",". Line 6, strike out "be", insert "have been". Line 8, strike out "herein". Line 9, after "provided", insert "in this chapter". Line 13, strike out "nor", insert "or". Line 14, strike out ",", after "or" insert "a". Line 15, strike out "s". Line 16, strike out ",". Line 17, strike out ",". Line 19, strike out "said", insert "the". Line 21, strike out "any", insert "a". Line 23, strike out "any", insert "a";

strike out “,’s” except first one. Line 24, strike out “,”. Line 25, strike out “,”. Line 26, strike out “,”.

PAGE 496.

Line 2, strike out “,”. Line 4, strike out “,”. Line 5, strike out first and second “,”. Line 6, strike out last “,”. Line 7, strike out “,’s”. Line 8, strike out “,”. Line 11, strike out “,’s”. Line 12, strike out “,”. Line 16, strike out “of”, second occurring; strike out “,”. Line 18, strike out “,”. Line 22, strike out “,’s”; after “or” insert “if objection be filed five days before”.

PAGE 497.

Line 1, strike out “,’s”. Line 6, after “filing” insert “,”. Line 7, strike out “,”. Line 12, strike out “,”. Line 14, strike out last “,”. Line 15, strike out “,”. Line 16, strike out “,”. Line 19, strike out “,’s”. Line 24, strike out “,’s”. Line 25, strike out “In case”, insert “If”.

PAGE 498.

Line 4, strike out “,”. Line 7, strike out “said”. Line 11, strike out “,”. Line 19, strike out last “,”. Line 22, after “board” insert “of estimate”. Line 24, change “,” to “,”.

PAGE 499.

Line 3, strike out first “,”. Line 5, strike out “,”. Line 10, strike out “,”. Line 12, strike out “,”. Line 13, strike out “,”. Line 15, strike out “,”; after “park” insert “,”. Line 16, strike out “parkway,”. Line 17, strike out second “,”. Line 18, strike out “or drains,”. Line 24, strike out “said”. Line 25, strike out “,’s”. Line 26, strike out “,’s”.

PAGE 500.

Line 1, strike out “,”. Line 3, strike out first “,”. Line 6, strike out “,”. Line 7, strike out “shall”; strike out “,”. Line 11, strike out “Duplicate copies of reports”, insert “Reports”; strike out “Duplicate copies”, insert “An original.” Line 13, strike out “, one copy”. Line 14, strike out “chamberlain”, insert “comptroller”; strike out “the other copy”, insert “another”. Line 19, strike out last “,”. Line 20, strike out “,”. Line 21, strike out “,”. Line 24, strike out “,”. Line 25, strike out “,”. Line 26, strike out “,”.

PAGE 501.

Line 1, strike out “,”. Line 2, strike out “,”. Line 4, change “,” to “,”. Line 6, strike out “,”. Line 10, strike out “,”. Line

13, strike out "any", insert "an". Line 15, strike out ","; strike out "any", insert "an". Line 18, strike out ",".

PAGE 502.

Line 2, strike out "of the". Line 3, strike out "city". Line 4, strike out ",". Line 6, strike out ",". Line 7, strike out ",". Line 9, strike out ",". Line 11, strike out ",". Line 12, strike out ",". Line 15, strike out ",". Line 16, strike out ",". Line 17, strike out first ",". Line 20, strike out "of land required for streets". Line 22, strike out ",". Line 23, strike out first ",". Line 25, strike out ",". Line 26, strike out "by the", insert ".".

PAGE 503.

Line 1, strike out "city.". Line 2, strike out ",". Line 3, strike out ",". Line 5, strike out ",'s". Line 7, strike out. Line 8, strike out to second "and". Line 9, strike out "by". Line 10, strike out "he"; strike out "said". Line 11, strike out ",". Line 12, strike out ",". Line 15, strike out ",". Line 18, strike out ",". Line 19, strike out ",". Line 25, strike out ",". Line 26, strike out ",".

PAGE 504.

Line 2, strike out ",". Line 5, strike out ",". Line 6, strike out ",". Line 7, strike out ",". Line 8, strike out ",". Line 9, strike out ",". Line 11, strike out last word. Line 17, strike out ",". Line 20, strike out ",". Line 21, strike out ",". Line 24, strike out ",".

PAGE 505.

Line 10, strike out "for the real", insert ".". Line 11, strike out to "The". Line 15, strike out ",". Line 19, strike out ",".

PAGE 506.

Line 1, strike out ",". Line 2, strike out ",". Line 2, strike out ",". Line 3, strike out ",". Line 6, strike out ",". Line 7, strike out ",". Line 24, strike out ","; before "bene-" insert "deemed". Line 25, strike out ",". Line 26, strike out ",".

PAGE 507.

Line 1, strike out ",". Line 5, strike out ", square or place". Line 8, strike out "for assistants, clerks," insert ".". Strike out line 9. Strike out line 10 to "All". Line 12, strike out ".". Line 15, strike out "so"; strike out ",". Line 17, strike out ",'s". Line 18, strike out ",". Line 24, strike out last two ",'s". Line 25, strike out ",".

PAGE 508.

Line 1, strike out “,”. Line 4, strike out “of the”; make “commissioners” “commissioner”; strike out “ten”, insert “compensation at the rate of five dollars an hour on”. Line 5, strike out “dollars for”. Line 7, strike out “by this act,”. Line 8, strike out “,”. Line 9, strike out “premises, provided”, insert “real property not to exceed twenty dollars for the day if”. Line 11, strike out “of all”; make “meetings” “meeting”; strike out “such”, insert “the”. Line 13, strike out “,”. Line 22, strike out “,”. Line 24, strike out “,”. Line 25, strike out “,’s”.

PAGE 509.

Line 1, strike out “,”. Line 7, strike out “,”. Line 9, strike out “,’s”. Line 13, after “court” insert “;”, strike out rest of line. Line 15, strike out “and examined”; strike out “,”. Line 21, strike out “,”. Line 22, strike out “,” as before “cause”; insert “may”. Line 24, strike out “cash”. Line 26, strike out “,” before “,”, insert “to the corporation counsel”. After “,” insert “The amounts taxed as disbursements shall be due and payable thirty days after demand of payment thereof shall have been filed with the comptroller”.

PAGE 510.

Line 2, strike out “,”. Line 3, strike out “,”. Line 4, strike out “,”. Line 11, strike out “,”. Line 12, strike out “,”. Line 16, strike out “,”. Line 19, strike out “,”. Line 21, strike out “,”. Line 22, strike out “revenue bonds or”; after “stock” insert “or assessment bonds, as the case may be,”. Line 24, strike out “,”. Line 25, strike out “,”. Line 26, strike out “,”.

PAGE 511.

Line 6, strike out “,’s”. Line 7, strike out “,”. Line 8, strike out “,”. Line 9, strike out “of the claimant”. Line 10, strike out “for such purpose”. Line 12, strike out “any”, insert “an”. Line 13, strike out “,”. Line 14, strike out “,”. Line 15, strike out “,”. Line 16, strike out “,”. Line 17, strike out “,”. Line 18, strike out first “,”. Line 19, strike out “,”. Line 24, strike out “be”, insert “is”. Line 25, strike out “,”. Line 26, strike out “,’s”.

PAGE 512.

Line 7, strike out “,”. Line 8, strike out “,”. Line 10, strike out “,’s”. Line 11, strike out “shall”. Line 16, strike out “said”; strike out “,”, insert “,”. Line 17, strike out “,”. Line 18, strike out “,”. After line 19 strike out rest of page.

PAGE 513.

Strike out.

PAGE 514.

Strike out to line 8. Line 8, change "1330" to "1327"; strike out rest of line, insert "Report of assessment to be transmitted to chamberlain." Line 9, strike out to "The". Line 10, strike out ",". Line 11, strike out "under", insert "pursuant to"; strike out ",". Line 14, strike out ",'s". Line 15, after period strike out rest of page.

PAGE 515.

Line 1, change "1331" to "1328"; make "Assessments" "Assessment"; make "awards" "award". Line 3, strike out "has", insert "shall be". Line 4, strike out first ",". Line 5, before "chamberlain" insert "comptroller and". Line 6, strike out ","; strike out "the chamber-", insert "they". Line 7, strike out "lain". Line 8, strike out "in his office". Line 9, strike out ",". Line 11, strike out ",". Line 13, strike out ","; after "." insert "If it appear by the reports of the commissioners or otherwise that a person entitled to an award also owns property against which an assessment is the same proceeding shall have been entered for collection the city may, without the assent of the person entitled to the award, set off the assessment against the award. Such set-off shall be made by the city in the same manner and have the same effect as if made on the application of the person entitled to the award." Strike out rest of line and to line 20. Line 20, change "1333" to "1329". Line 25, strike out ",". Line 26, strike out "for the use of the commissioner,".

PAGE 516.

Line 3, strike out "such", insert "the borough". Line 5, strike out ",". Line 7, strike out last ",". Line 12, strike out ",". Line 16, strike out "Condemnation or", insert "Proceedings to acquire". Line 19, strike out ",". Line 21, strike out "upon project". Line 22, strike out "the".

PAGE 517.

Line 4, strike out "estate", insert "property". Line 20, strike out ",". Line 21, strike out "enter upon,"; strike out "any". Line 23, strike out ",". Line 24, strike out ",". Line 26, strike out ":", insert "; and provided that it shall not have power to acquire or to extinguish the property rights of any person in or to any water rights that at the time of the initiation of proceedings for condemnation are in actual use for the supply of the

waterworks of the people of any other municipal corporation, or for the supply and distribution of water to the people thereof; or which in the opinion of the court on such proceedings may reasonably become necessary for such supply."

PAGE 518.

Line 3, strike out ",'s". Line 4, strike out ",". Line 5, strike out ",". Line 8, strike out ",". Line 13, strike out ",'s". Line 17, strike out ",". Line 23, strike out ",".

PAGE 519.

Line 1, strike out ",". Line 3, strike out ",". Line 5, strike out "upon project". Line 9, strike out ",'s". Line 10, strike out ",". Line 11, strike out last ",". Line 17, strike out ",". Line 18, strike out ",'s". Line 20, strike out "estate", insert "property". Line 21, strike out "the". Line 24, strike out "any", insert "a". Line 26, strike out ",".

PAGE 520.

Line 1, strike out "adoption", insert "adopting". Line 5, make "appurtenances" "appurtenance". Line 8, strike out ",'s" at end of line, insert "and". Line 10, strike out ",". Line 16, strike out ",". Line 17, strike out "written". Line 24, strike out first ",". Line 26, strike out ",".

PAGE 521.

Line 1, strike out ",". Line 2, strike out ",". Line 7, strike out ",". Line 10, strike out ",". Line 11, strike out "public". Line 12, at end of line insert ",". Line 14, strike out ",". Line 17, strike out ",". Line 18, strike out ",". Line 19, strike out ",". Line 21, strike out ",". Line 22, strike out ",'s".

PAGE 522.

Line 4, strike out ",". Line 5, strike out first ",". Line 6, strike out ",". Line 8, strike out ",". Line 15, strike out "estate", insert "property". Line 29, strike out ",". Line 26, strike out ",".

PAGE 523.

Line 1, strike out ",". Line 4, strike out ","; strike out "the commis-". Line 5, strike out "sioner, or any of them"; strike out "others", insert "other commissioners". Line 6, after "time" insert "."; strike out ", but they", insert "The commissioners"; strike out ",". Line 8, strike out "upon". Line 10,

strike out "any", insert "a"; strike out ",". Line 15, strike out ",". Line 19, strike out ",". Line 26, change ";" to ",".

PAGE 524.

Line 2, strike out "be", insert "is"; strike out ",s". Line 3, strike out ",". Line 5, strike out "supreme"; strike out first ",". Line 8, strike out ",". Line 9, strike out ",". Line 10, strike out first ",". Line 11, strike out ",". Line 13, after "each" insert "parcel"; strike out "upon by them". Line 16, strike out ",". Line 17, strike out ",s". Line 18, strike out ",". Line 21, strike out ",s". Line 22, strike out first "the", insert "each".

PAGE 525.

Line 4, strike out comma. Line 5, before "in" insert "as provided"; after "article" insert "for the publication of notice of intention to apply for the appointment of commissioners". Line 9, strike out comma. Line 12, strike out commas. Line 14, strike out "appraised;", insert "comma". Line 15, strike out comma. Line 18, strike out comma. Line 22, strike out comma. Line 23, strike out commas. Line 25, strike out comma.

PAGE 526.

Line 1, strike out comma. Line 2, strike out comma. Line 3, strike out comma. Line 7, strike out comma. Line 8, strike out comma. Line 11, strike out commas. Line 16, strike out comma. Line 17, strike out comma. Line 18, strike out commas. Line 21, strike out comma. Line 22, strike out commas. Line 26, strike out comma.

PAGE 527.

Line 1, strike out comma. Line 2, strike out second comma. Line 4, strike out comma. Line 5, strike out comma. Line 17, strike out "in their discretion,". Line 18, strike out comma. Line 19, strike out comma. Line 25, strike out comma. Line 26, strike out comma.

PAGE 528.

Line 1, strike out comma. Line 3, strike out comma. Line 4, strike out comma. Line 5, strike out comma. Line 7, strike out comma. Line 8, strike out comma. Line 12, after period strike out to line 16 and insert "Each commissioner shall receive compensation at the rate of five dollars an hour on each day upon which he attends a meeting of the commissioners and is actually and necessarily employed in the performance of the duties imposed upon him, not to exceed twenty dollars for the day, provided the time necessarily required and actually spent at such

meeting exceed one hour; and for each other meeting attended by the commissioner in which he is actually and necessarily employed in the performance of his duties he shall receive five dollars." Line 20, strike out comma. Line 25, strike out comma. Line 26, strike out "The com-".

PAGE 529.

Strike out to the line 5. Line 8, after period insert "The corporation counsel shall present upon such taxation his certificate that the items have been audited by him and the result of such audit. Line 14, strike out after period; strike out lines 15, 16, 17, 18. Line 2, strike out "Condemnation of", insert "Proceedings to acquire". Line 22, strike out after "prepared", insert ".". Line 23, strike out.

PAGE 530.

Line 4, make "officers" "officer". Line 18, strike out comma. Line 21, after "prepared", insert "."; strike out rest of line. Line 24, after "purposes", insert "or any purpose". Line 26, strike out comma.

PAGE 531.

Line 4, before period insert "of the county in which the real property is situated". Line 5, strike out "of ap-", insert ".". Line 6, strike out "praisal.". Line 7, strike out last "the", insert "such"; strike out comma. Line 9, strike out comma. Line 11, strike out comma. Line 13, strike out commas. Line 15, strike out comma. Line 18, make "map" "maps"; make "plan" "Plans". Line 18, strike out comma; make "survey" "surveys". Line 20, strike out comma. Line 21, strike out "same", insert "hearing"; strike out comma. Line 22, strike out comma. Line 24, strike out first comma.

PAGE 532.

Line 3, strike out second and third commas; strike out "may", insert "shall". Line 4, strike out comma. Line 7, strike out comma. Line 9, strike out commas. Line 11, strike out comma. Line 12, strike out comma. Line 13, strike out comma. Line 16, strike out comma. Line 18, strike out comma. Line 19, strike out commas.

PAGE 533.

Line 1, strike out last ",". Line 2, strike out ",". Line 4, strike out ",". Line 5, strike out ",". Line 6, strike out ",". Line 12, make "despatch" "dispatch". Line 12, strike out ",". Line 13, strike out ",". Line 16, strike out ",'s". Line 19,

strike out “,”. Line 21, strike out “ any ”, insert “ a ”; strike out “,”. Line 23, strike out “ as hereinafter ”. Line 24, strike out “ provided,”.

PAGE 534.

Line 1, strike out “,”. Line 3, strike out “,”. Line 4, strike out “,’s”. Line 7, strike out “,”. Line 8, strike out “,”. Line 9, strike out “,”. Line 10, strike out “,’s”. Line 14, strike out “,”. Line 17, strike out “,”. Line 19, strike out last two “,’s”. Line 20, strike out “,’s”, strike out “,”, insert “,”. Line 24, strike out “,”.

PAGE 535.

Line 2, strike out “ said ”, insert “ the ”. Line 11, strike out “,”. Line 16, strike out “,”. Line 17, strike out “,’s”. Line 18, strike out last “,”. Line 20, strike out “,”. Line 22, strike out “,’s”. Line 24, strike out “ said ”, insert “ such ”.

PAGE 536.

Line 9, strike out “,”. Line 10, strike out “, Sundays ” and rest of line. Line 11, strike out “ cluded,”. Line 12, strike out “,”. Line 13, strike out first “,”. Line 18, strike out “,”. Line 19, strike out “,”. Line 24, strike out first “,” after “ or,” insert “,” after “ city ” strike out. Line 25, strike out “ inbefore provided,”.

PAGE 537.

Line 1, strike out first comma. Line 4, strike out “,’s”. Line 5, strike out “,”. Line 11, strike out “,”. Line 12, strike out “ such ”, insert “ the ”; strike out “, being ”. Line 13, strike out “,’s”. Line 14, strike out comma. Line 15, strike out “.’s”; first two. Line 16, strike out “,’s”. Line 21, strike out “; when ” insert “ When ”. Line 22, strike out “,”. Line 23, strike out “,”. Line 24, strike out “,’s”.

PAGE 538.

Line 5, strike out “,’s”. Line 6, strike out “,”. Line 10, strike out “,”. Line 13, strike out “,’s”. Line 16, strike out “,”.

PAGE 539.

Line 1, strike out after “.”. Strike out to “ together ” line 8, and insert “ Each commissioner shall receive, upon the confirmation of the report or of the termination of the proceedings, compensation at the rate of five dollars an hour on each day upon which he attends a meeting of the commissioners and is actually and necessarily employed in the performance of the duties im-

posed upon him at the office provided for the commissioners or at a meeting to view real property, not to exceed twenty dollars for the day, provided the time necessarily required and actually spent at such meeting exceed one hour; and for each other meeting attended by the commissioner in which he is actually and necessarily employed in the performance of his duties, he shall receive five dollars. The fees of the commissioners and other reasonable expenses shall be taxed by the court,". Line 11, strike out "any", insert "a". Line 12, strike out ",". Line 15, strike out ",'s". Line 16, strike out first ",". Line 19, strike out ",". Line 22, strike out "1328", insert "1382". Line 23, strike out "from", insert "of".

PAGE 540.

Line 2, strike out ",". Line 6, strike out ",". Line 10, strike out ",". Line 11, strike out ",". Line 14, strike out ","; after first "and" insert ",". Line 18, strike out "corporation counsel", insert "comptroller". Line 22, strike out ",". Line 24, strike out ","; strike out "of any nature". Line 25, after first "of" strike out line. Line 26, strike out to "chapter".

PAGE 541.

Line 1, after "," strike out; strike out to "or" line 4. Line 6, change "XL" to "XXXVIII". Line 9, change "1419" to "1418". Line 14, after "1391." strike out insert "Tort claims."; strike out line 15. Line 16, after "claims" insert "."; strike out rest of line and lines 17 and 18.

PAGE 542.

Line 3, strike out "any" insert "a"; strike out after "body". Line 4, strike out "any" insert "an". Line 5, strike out "any" insert "a"; strike out line 9. Line 14, after "contained" insert "in this article". Line 16, strike out "any" insert "a"; after line 19, strike out rest of page and insert "Sec. 1391. Tort claims. An action against the city of a county for damages on account of death, personal injuries or for the destruction of or injury to property shall not be prosecuted or maintained unless it appear as an allegation in the complaint that at least forty days have elapsed since the claim therefor was".

PAGE 543.

Line 1, strike out "for adjustment,". Line 2, strike out "he has neglected or refused to make an", insert "no". Line 3, after "thereof" insert "has been made". Line 6, strike out "damages" insert injury", strike out ",'s". Line 7, strike out

“,”. Line 8, strike out “,”. Line 9, strike out last “,”. Line 12, strike out “,”. Line 14, strike out first and second “,”; strike out “damage” insert “injury to”. Line 16, strike out “damaged” insert “injured”. Line 19, strike out “; presentation of claim and notice of in-”. Line 20, strike out to “All”. Line 22, strike out “,”. Line 23, before “audit” insert “adjust and”; after period strike out rest of page.

PAGE 544.

Strike out to “No” line 8. Line 11, strike out “or”. Line 12, strike out “demand”; strike out “that not less than”; strike out lines 13 and 14 to “that”; strike out “forty” insert “thirty”. Line 15, strike out “such notice of intention” insert “the claim”. Line 16, strike out “the claim” insert “it” after “been” insert “adjudged and audited.”; strike out rest of line and lines 17 and 18 and insert “The provisions of this section shall not apply to proceedings for mandamus.”. Line 27, strike out “:”.

PAGE 545.

Line 3, strike out first “,”. Line 6, strike out “,”. Line 19, strike out “,”. Line 22, strike out “,”. Line 23, strike out “such” insert “the”. Line 25, strike out “of any character”; strike out “or” insert “, ”.

PAGE 546.

Line 14, strike out “herein” strike out “specially” insert “expressly”. Line 15, before “;” insert “in this act”. Line 16, strike out “, ”.

PAGE 547.

Line 1, strike out “thereupon”. Line 2, strike out “s in abatement suits”; strike out line 3. Line 13, strike out “, ”. Line 17, strike out second and third “, ”. Line 18, strike out “to be”. Line 21, strike out “any”; strike out “, ”. Line 22, strike out “, ”. Line 25, strike out “, ”.

PAGE 548.

Line 2, strike out “, ”, first one. Line 5, strike out “any” insert “a”. Line 6, strike out “, ’s”. Line 7, strike out “, ”. Line 13, strike out last “, ”. Line 15, strike out “any” insert “a”; strike out third and fourth “, ”. Line 16, strike out “, till” insert “until”. Line 17, strike out “, ”. Line 18, strike out “shall”. Line 21, strike out “any” insert “a”. Line 24, strike out “, on the”. Line 25, strike out to “that” strike out “such” insert “the”. Line 26, strike out “have been”.

PAGE 549.

Line 1, strike out "shall". Line 3, strike out "shall, in writing,"; after "consent" insert "in writing"; strike out ",". Line 4, strike out "such" insert "the". Line 6, strike out ","; strike out "that" insert "specified in" at end of line insert ",". Line 7, strike out to "order" insert "the"; strike out "the". Line 8, strike out to "as" strike out "may". Line 9, strike out "any" insert "a". Line 10, strike out ",". Line 11, strike out ",". Line 13, strike out ",". Line 15, strike out first ",". Line 16, strike out ",". Line 18, strike out "of such judgment" insert "thereof". Line 20, strike out ",'s". Line 21, strike out first ",". Line 22, strike out "may in his discretion,"; strike out "as to the" insert "of". Line 23, strike out second "the" insert "such"; strike out "of such thirty days". Line 24, strike out "of thirty days".

PAGE 550.

Line 1, strike out ",". Line 2, strike out "such" insert "the". Line 4, strike out "shall". Line 5, strike out ",'s". Line 10, strike out ",". Line 15, strike out ",". Line 24, strike out ",".

PAGE 551.

Line 1, strike out ",". Line 2, strike out ",". Line 3, strike out "due"; strike out ",". Line 4, strike out ",'s". Line 6, strike out "such" insert "the". Line 7, strike out "and conclusive,". Line 9, strike out ",". Line 10, strike out ",". Line 11, strike out ",". Line 12, strike out first ",". Line 16, strike out "creating" insert "the creation of". Line 21, strike out ",". Line 22, strike out ",". Line 24, strike out ",". Line 25, strike out ",". Line 27, strike out ",".

PAGE 552.

Line 1, strike out "thereupon". Line 2, strike out ",". Line 6, strike out ",'s". Line 9, strike out ",'s". Line 10, strike out first ",". Line 12, strike out "any" insert "a". Line 14, strike out ","; after "than" insert "the amount". Line 16, after "defendants" strike out to "costs". Line 18, strike out ",". Line 19, strike out "in abatement suits"; strike out "such" insert "an". Line 21, strike out ",". Line 22, strike out ",". Line 24, strike out "shall be made to,"; strike out ",". Line 25, strike out ",'s". Line 26, strike out "aforesaid"; strike out last ",".

PAGE 553.

Line 1, strike out ",". Line 2, strike out ",". Line 9, strike out "any"; strike out ",". Line 10, strike out "in any abate-

ment suit". Line 11, strike out ",". Line 12, strike out first and last ",s". Line 13, strike out first ",". Line 16, make "ground" "grounds". Line 19, strike out ",". Line 20, strike out ",". Line 21, strike out ",". Line 22, strike out ",". Line 23, strike out ",". Line 24, strike out ",s".

PAGE 554.

Strike out to line 8. Line 8, change "XLI" to "XXXIX". Line 12, make "borough" "boroughs"; before "." insert "and Richmond". Lines 13 and 14, strike out and insert "1432. Transfer of personal follows transfer of functions." Line 15, strike out "controversies"; before "." insert "of certain officers and employees"; insert "1434. Transfer of powers, duties and records. 1435. Transfer of appropriations, property and records. 1436. Construction of premises as to appointment." Line 16, change "1434" to "1437". Line 17, change "1435" to "1438". Line 19, change "1436" to "1440". Line 21, change "1438" to "1441"; after "act" insert "and public service commissions law". Line 22, change "1439" to "1442". Between lines 22 and 23 insert "1443. Powers of state and county officers not affected. 1444. Tenure of office not affected. 1445. Terminal acts not affected." Line 23, change "1440" to "1446". Line 24, change "1441" to "1447"; strike out "Saving clause" insert "Reply by implication". Line 25, change "1442" to "1448". Line 26, change "1443" to "1449".

PAGE 555.

Line 1, after "of" insert "or refusal to comply with". Line 2, strike out "shall constitute". Line 12, make "borough" "boroughs"; before "." insert "and Richmond". Line 14, strike out "," insert "."; and strike out rest of line inserting "Existing cemetery associations and corporations in the borough of Queens, however, shall have the right to use for cemetery purposes, land lawfully taken by recorded deed, or devise and set apart for cemetery purposes or for the purposes of the convenient transaction of their general business, prior to or used therefor, on July twenty-eighth, nineteen hundred and eleven, and all lands taken by a recorded deed and actually set apart for cemetery purposes prior to June twenty-fifth, nineteen hundred and ten."; strike out rest of page insert

§ 1432. Transfer of personnel follows transfer of functions. Where existing powers or duties of a department, board, body, office, division, bureau, position or employment, or officer or employee of the city, are, by this act, conferred or imposed upon

another department, board, body, division, bureau, office, position or employment, or officer or employee of the city, all officers and employees within the jurisdiction or control of the department, board, body, division, bureau, office, position or employment, or officer or employee now exercising such powers or duties shall, without change of salary, be transferred to the department, board, body, division, bureau, office, position or employment, or officer or employee succeeding to such powers or duties. Service in the department, board, body, division, bureau, office, position or employment to which transferred.

§ 1433. Determination as to transfer of certain officers and employees. When powers or duties of an officer or employee are by this act conferred or imposed upon more than one department, board, body or office, the municipal service commission shall determine to which department, board, body or office, the officer or employee exercising such powers and duties shall be transferred.

§ 1434. Transfer of powers, duties and records. Except as otherwise provided in this act, the powers and duties now conferred and imposed upon and the records of the bureaus enumerated below, are transferred in each case as follows: the bureau for the collection of taxes and the bureau for the collection of assessments and of such taxes, assessments and water rents as are in arrear, to the department of the city treasury; the bureau of municipal investigation and statistics to the office of the commissioner of accounts and statistics; the bureau for the collection of city revenue and markets, in so far as they relate to market places and market lands, to the department of markets, weights and measures, and the remainder to the department of the city treasury.

§ 1435. Transfer of appropriations, property and records. Where existing powers or duties of a department, board, body, division, bureau, office, officer or employee of the city are, by this act, conferred or imposed upon, or transferred to another department, board, body, division, bureau, office, officer or employee of the city, all funds, property, records, books, papers and documents within the jurisdiction or control of the department, board, body, division, bureau, office, officer or employee now exercising such powers or duties, shall be transferred and delivered to the department, board, body, division, bureau, office, officer or employee succeeding to such powers or duties. There shall be transferred, as the board of estimate direct, the balances of appropriations made for a department, board, body, division, bureau, office, officer or employee applicable to the payment of the expenses of exercising the powers and discharging the duties so transferred.

§ 1436. Construction of provisions as to appointment. In this act unless otherwise expressly stated or the subject matter otherwise requires a direction or power to appoint shall not be construed to require appointment to offices, positions or employments in addition to such as now exist of the same name or title or having similar functions; or as limiting the creation of or appointment to additional offices, positions or employments of the same name or title or having similar functions.

PAGE 556.

Strike out lines 1, 2, and 3. Line 4, change "1434" to "1437". Line 6, after "psy" insert "during the balance of the present calendar year". Line 10, change "1435" to "1438". Line 26, change "1436" to "1439".

PAGE 557.

Line 8, change "1437" to "1440".

PAGE 558.

Line 9, change "1438" to "1441,"; strike out "Rapid", insert "The public service commissions law or the rapid"; after "act" insert "and public service commissions law"; before "." insert "by implication". Line 10, after "wise" insert "expressly". Line 11, before "rapid" insert "public service commissioner law or the". Line 12, strike out "nineteen hundred and one", insert "eighteen hundred and ninety-one". Line 20, change "1439" to "1442". Between lines 24 and 25 insert "Sec. 1443. Power of state and county officers not affected. This act shall not affect the power now possessed by the state or county officer to fix the salary or compensation of an officer or employee. Sec. 1444. Tenure of office not affected. Except as otherwise provided in this act, it shall not affect the tenure of a person now holding an office, position or employment in the service of the city or a county. Sec. 1445. Terminal acts not affected. Nothing contained in this act shall be deemed or construed to repeal or in any wise to affect chapters seven hundred and seventy-six and seven hundred and seventy-seven of the laws of nineteen hundred and eleven." Line 25, change "1440" to "1446".

PAGE 559.

Line 11, change "1441" to "1447"; strike out "Saving clause", insert "Repeal by implication". Line 12, after "state" insert "not specifically refuted by this act,". Line 13, strike out "the board of health", insert "a department, board, body or office,". Line 17, after "." strike out rest of page.

PAGE 560.

Strike out all to line 8. Line 8, change "1442" to "1448".
Line 18, change "1443" to "1449".

PAGE 580.

Add after last line:

| | | |
|-----------|----------|-----|
| 1911..... | 644..... | All |
| 1911..... | 661..... | All |
| 1911..... | 669..... | All |
| 1911..... | 673..... | All |
| 1911..... | 675..... | All |
| 1911..... | 678..... | All |
| 1911..... | 679..... | All |
| 1911..... | 680..... | All |
| 1911..... | 682..... | All |
| 1911..... | 694..... | All |
| 1911..... | 712..... | All |
| 1911..... | 813..... | All |
| 1911..... | 834..... | All |
| 1911..... | 839..... | All |

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Foley, said bill was ordered reprinted and recommitted to said committee.

Mr. A. E. Smith: Mr. Speaker, it was with very deep regret that news was conveyed to the members of the Legislature as they reached Albany of the death of the Clerk of the Assembly.

Very strong friendships grow among men in official life, particularly where the scene of their duties and other activities take them away from home.

Beginning with the early part of this session Luke McHenry received his first introduction to the great majority of the men sitting around this chamber. Strong friendship and very strong liking for him developed in the hearts of all the members of this body. The hard labors in the difficult position, the work of which was entirely new to him, gave encouragement to the men who gave up their time and their labor to the long months of the beginning of this session. That it had some effect upon his health there is no doubt. It was with a great deal of regret that word was received that he was stricken with a disease from which there is scarcely an escape.

I, therefore, at this time offer the following resolution and move its adoption.

Whereas, The highly esteemed Clerk of this House, Luke McHenry, has been suddenly stricken down in the performance of his arduous labors, and removed from among us by the hand of death, therefore,

Resolved, That while acknowledging the wisdom of that Divine Providence, to whose inscrutable decrees we humbly bow, yet this House is filled with sorrow at this sudden demise; and we shall always bear in grateful and yet sorrowful recollections the many acts of kindness and courtesy received at the hands of the deceased.

Resolved, That a committee of seven be appointed to attend the funeral of the deceased; and that in token of respect for his memory that the Clerk's desk be appropriately draped in mourning.

Resolved, That these resolutions be entered upon the journal of the House and that an engrossed copy be transmitted to the family of the deceased.

Mr. Merritt: Mr. Speaker, I feel that the second to this resolution might very properly come from the Member of Assembly from the district from which the late Clerk came to this body.

Any remarks that can be made on an occasion of this sort naturally take the form of a tribute of an expression of the personal qualities and appreciation of the services rendered by the deceased officer or member of the House. I regret that the gentlemen who represents that district is not here, because he could speak with more force perhaps than any man from the standpoint of neighborly good will and acquaintance. I can only say that I think that the late Clerk impressed himself upon our minds by his service here as a most kindly and willing servant of the House. In the first place, as was his duty and interest, and as a gentleman of refinement and kindly disposition, in all his relations with the members of this House.

Speaking, particularly, for the minority I can say that Mr. McHenry while he had of course nothing to expect from us, there being no favor which we could grant him, is one of kindly appreciation that in all the service during this long, arduous session he has, so far as I have been able to observe, treated those of the minority with all the consideration and all of the courtesy that he has extended to any member of the House.

It is a sad thing at any time to see a man of force and character and experience in life stricken down, more particularly when

in the midst of the performance of duties which he had to undertake to carry out in the eye or under the observation of the members sitting about this circle and all the people generally. I think it no overstatement to say that he has met the expectation of his friends, the expectation of the House, and that he performed the duties of his office in a manner highly creditable to the office, to himself, and to the party which placed him in that position.

I second the resolution.

Mr. A. E. Smith in the Chair.

Speaker Frisbie: I have not left the chair to occupy a seat on the floor for the purpose of delivering an eulogy. I am not prepared at the moment to deliver such an eulogy as the life and character of our late friend is entitled to. But I cannot refuse the opportunity presented to bear testimony to the splendid type of manhood which my friend exhibited through all his life. Luke McHenry was of that type of man whose kind has been produced through all the history of our country. In this great land of opportunity there is a chance for every man to rise, from the most modest surroundings to the highest position within the gift of his fellow men.

Luke McHenry began life most modestly and by his indomitable will and his sterling character achieved high standing in his chosen profession, that of journalism. Located in a small town he still found a large field for the display of his devotion to the interests of the people; and won a host of friends who gathered about him in his early years, who followed him long and loyally during his manhood and his later years.

Successful as an editor and publisher he also took advantage of that opportunity which comes to every American citizen to participate in public affairs. He early identified himself with the Democratic Party, believing thoroughly in its principles as enunciated by its great founder Jefferson, exemplifying those principles and proclaiming them through the columns of his paper. Later when he became the publisher of a second newspaper, his influence widened and he at length became a leader in his party in his section of the State. More than once he was honored with nomination to high office, and polled always a much larger percentage of the total vote than that of his party.

His standing in the newspaper profession was shown by the fact that he held at one time the presidency of the State Press Association and for several years was the president of the Democratic State Editorial Association.

His worth, influence and wisdom as a leader led to his selection when his party came in power at the beginning of the year as the Clerk of the popular branch of the Legislature.

I think I but speak the sentiments of every man about this circle, every member of this House in fact, whether here present or not, when I say that never in the history of the State has a Clerk of this body met more fully the expectations of the Members of the Assembly than did Luke McHenry, although in his first year of experience. It was a testimony to his ability, to his grasp of the duties of a new position, and was a tribute to the real worth of the man. I have reason to believe that had he been spared to the service of his State, greater honors were still in store for him.

Mr. McHenry was a model man in relation to his family; and I know that the sympathy of this entire body will go out to the stricken wife and son. But he leaves behind an untarnished memory, which will be cherished not only by his family but by his associates in the noble profession to which he belonged, by the members of his party, and I believe I may safely say, by the citizens of this State irrespective of party.

Mr. McHenry and myself were old and firm and loyal friends; and that friendship was based upon the splendid qualities of which I have briefly spoken.

I, too, am glad to second the resolutions which have been offered.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker in the chair.

Mr. Hackett: Mr. Speaker, it is with deep regret that I arise and say a few words of condolence on behalf of one of our members who has been taken away and grasped by the hand of death since we last met.

I hardly am able to say what I would feel like saying in honor of our passed brother member who has been beloved by every member of this House, by every man, woman and child. He was one of the grandest characters that ever sat in this chamber. One of

the grandest old men who ever sat in this legislative hall. The Honorable James Oliver has been taken away, but his memory will not be forgotten for many years to come by his friends and his colleagues in this House.

It is with deep regret that I offer the following resolution and move its adoption:

Whereas, On the 18th day of September, 1911, occurred the death of Honorable James Oliver, then a member of this body representing the Third Assembly District of the county of New York, thereby depriving the Assembly of the society and services of one of its most valued and best beloved members; and,

Whereas, The Assembly is deeply sensible of the great loss sustained by it in the death of Assemblyman Oliver, who has served in this House for nine terms, during a period of nearly a quarter of a century. And this House being desirous of placing upon its records the permanent minute of its appreciation of his life, his character and his public services.

Resolved, That a committee of five be appointed by the Speaker of the Assembly to prepare appropriate resolutions expressive of the sense of the Assembly relative to his services in this body and its bereavement because of his death.

Resolved, That a committee of ten be appointed to attend the funeral of the deceased; and be it further

Resolved, That these resolutions be entered upon the journal of the House and that an engrossed copy be transmitted to the family of the deceased.

Mr. A. E. Smith: Mr. Speaker, very briefly, I desire to say my little word in seconding the resolution.

Mr. Oliver when he came to Albany twenty-seven years ago represented in this body the district I now have the honor of representing. He was born in the old fourth ward which was a part of the city at the time of his birth. I have known him since I was a boy. I listened with a good deal of interest to his cart-tail speaking and his out-door campaign twenty odd years ago.

He was a good natured, wholesoled, generous man. He dies a poor man, although he was active in the practice of his profession; still he was of that character and lived among a kind and class of people that had plenty of law business for him to do, but very little in the way of funds to pay him for it. A great many of his appearances in the local inferior criminal courts were in the interest of the poor and lowly that were unfortunate enough to find their way there.

His death is a distinct loss to this body. And I feel to-night that the men around this circle, as I know the members of the Assembly feel, that he reached a ripe old age and he lived a right life, and consolation must of necessity come because of that almost universal belief that Divine Providence in its wisdom makes all things even, and solves for the just man the mysteries of death as life everlasting.

Mr. Cuvillier: Mr. Speaker, I ask the privilege to speak a word on behalf of one who has left us. Colonel Oliver has been sitting in this House a number of years and has been a valued member. During the long years of his experience in public life he was close in his associations with the people and especially those who have not got a large part of this world's goods.

And he knew their sufferings; and his mind was at all times and upon all occasions directed toward helping those who were unfortunate in this life, and in passing laws for their benefit.

I, myself, many a time was in acrimonious debate with him; but when that debate ceased our friendship was that of brothers. And I could not let this occasion go by without speaking of his kindly heart and good disposition; a man whose charity absolutely knew no bounds; to the child of the street, the newsboy, the girl going to school, the page in this House,—he was very solicitous at all times to see that they were provided with the ordinary necessities of life. It is remarkable the charity he had in his breast to help the young.

I know that the last past year that he has been suffering. The last words that he said to me when he was here about ten days ago were that he was not feeling well, but if God called him he wanted to die in harness. His wish unfortunately is carried out. Upon some other occasion I shall be pleased to speak further. I second the resolution.

Mr. McElligott: Mr. Speaker, I have known Mr. Oliver in this House for three years. During that time I learned to appreciate him, to respect him and to treat him as a friend.

Many a time he gave me friendly counsel in regard to bills upon this floor. Often going to and from New York I was with him on the train and had conversation with him. I shared his favor at the dinner table. I had occasion to be the recipient of his

generosity in the early part of this year, when I was obliged to come to Albany immediately after my wedding to vote for a United States Senator. My bride came with me. At the close of the week, when we were about to leave Albany, Mr. Oliver sent a page to the lady, who was in the Assembly gallery and surprised her with a splendid box of American Beauty roses. The honor that he did me by that act I felt I could not repay. I have always had the greatest impulse of kindness toward Mr. Oliver since that time. Yesterday I realized this, and went to see him at the hospital. He was in St. Vincent's in New York. It was difficult to get to his room. He was lying in bed and the orderly spoke to him. I stood by his bedside and called to him. He did not recognize me. It pained me to see him suffering.

In taking the floor to-night I do so to pay a tribute of respect to Mr. Oliver as a man of charity, a man of friendship and a man of good counsel. The people of my district would be glad to see me responsive to the friendship of Mr. Oliver. I, therefore, second the resolution.

Mr. Terry: I cannot resist the impulse to add my little to what has been said here as to our friend Oliver. After all, we will live here and see his empty desk and his empty seat,—we miss our old friend. Yet for him it is after all only a cessation from suffering. It is one of the things for which I admire our old fellow member. For we have all seen him here this winter, pallid and wan, and sometimes with the evidence of intense suffering and yet none of us have heard from him a word of complaint or a murmur.

"There were some things about him that rather tried us at times; but looking back at it we realize that those infirmities of temper and disposition were brought about by the great physical infirmities from which our friend was constantly suffering.

My own recollection of Mr. Oliver will always be one of my pleasantest recollections of my experience here in this House. I think I had the same experience that all beginners have had here. I owe much to his courtesy, to his kindness, to his suggestions; and my first year I had the pleasure of having my desk next to him on the other side of the chamber. In that way I came to know him better perhaps, than I otherwise would, and with that

acquaintance my respect for him and my esteem for him constantly grew.

He was a man of kindly disposition, of a kindly temper, and he always wanted to make things easy for other people. He always wanted to do kind things, even when, as has been said, he might ill afford it.

I might go on and talk more at length, but there is one thing that I am very glad of, and that is, that now that he is gone, the title by which he was universally known of "Jimmy Oliver of Paradise Park" is after all as proud a testimonial to our deceased friend as any man could hope for. Other men have passed bills that have attained attention, other men have passed measures that were greatly for the public good; but no man has been the author of any bill that has accomplished more for the welfare of struggling humanity than our friend Oliver did when he passed that bill that gave him his nickname; when he fought through and successfully passed a bill that for the first time in any great city changed a squalid, poor, unhealthy, unpleasant district into a beautiful park for the benefit of the inhabitants and for the welfare of the children and of all the neighbors. I think myself that if any of us when we get through with our legislative career and our other career, if we can feel, or our friends can feel that they have accomplished as much for humanity as Mr. Oliver did when he established that Paradise Park, the first park of the sort in the city of New York, establishing and setting thereby the example that has been followed by other municipalities the world over — if we can accomplish such a thing as that I think that our friends can be well proud of the reputation we leave behind us.

Mr. Merritt: Mr. Speaker, the death of Mr. Oliver is a deep grief to me. He has served in this body a great many years during which I have been a member. We have been on the same committees. We have had a most cordial and friendly relation as members of the House and as ordinary human beings.

I think that he was the most kindly and the most courageous man; and that according to his lights, according to the ideas of public duty and of private duty which were his, that he lived to the best of his ideals, and as we say, the lights we had.

He was a man who feared nobody. He was a man who respected courage in others, and had a very just appreciation I think

of the relative worth of the people whom he associated with, professionally or otherwise.

All that has been said about his kindly character I cordially endorse. I would not attempt to say anything on this occasion if it were not to be expected. I cannot express to this House nor to any one my profound feeling of grief at his sudden, if not untimely, taking away.

All men fear death as children fear the dark. Yet after the long life that James Oliver has lived, and what he had seen in human life and experience, I can fancy that he met his end with courage and with calmness, possessing, I am sure, that faith to which he adhered and which is shared by so many of our people.

In all the years that I have known him here I have never known him to cherish any real anger or malice against any measure or member. He had a temper which sometimes boiled over but it was only a temporary, superficial thing; there was no such thing, I think, as malice in his heart.

All through the journals of this House from year to year are such resolutions as we have before us now. They are like the skull at the feast — a reminder of the uncertainties of human life. We have had many such resolutions in the years that I have been here. I have at various times had occasion to make some comment upon some departed member of the House; but I have never had occasion and there never has been a time, and I do not believe there ever will be a time when I shall be called upon, if I shall continue to be any length of time a member of this body, an occasion where I feel that what I might say would be so entirely inadequate to express the feeling which I have.

James Oliver was my friend and I was his. I second the resolution.

Speaker Frisbie: Before putting to the House the resolution offered by Mr. Hackett, I desire very briefly to express my admiration, esteem and respect for the late Colonel Oliver.

I served with him in this House for many years. Succeeding him as leader of the minority on the floor, I can testify to his loyalty to his leader. And it strikes me to-night as I have listened to the gentlemen about the circle, that the keynote of his character was loyalty, first to his family and then to his friends, and then

to the people of his district, seeking by wise legislation to better conditions, to uplift, to throw sunshine into the lives of those whom he represented. And if I mistake not that is the true mission of the legislator, to serve the people, first of his district and then of the State at large. Colonel Oliver served not only in his district but the great city which he saw grow from smaller proportions into its great and commanding importance to-day. Among the pleasantest hours I have spent have been listening to the colonel depicting the growth of New York into its present metropolitan size.

Colonel Oliver was not only devoted to his district and his city, however, but he was broad and loyal to the State. On the ways and means committee, on the floor of the House and in the rules committee, Colonel Oliver was for any measure which intended to develop the agricultural interests of the State, its schools, its colleges, or any legislation of whatever character which should advance the interests of the people of the State of New York, its commerce, its industries or any of its great undertakings.

His kindly heart impressed us all. His deference and respect for those of the opposite sex; his love of little children was touching in the extreme.

We shall miss him greatly because not only was he loyal to his leader on the floor, but he was loyal to the Speaker in the chair. And it was one of his great matters of pride that he had served in the House long enough to see his party again come into control in this body. His judgment and advice was valuable to you men on the floor not only, but to the Speaker as well.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative by a unanimous vote.

Mr. Ahearn gives notice that some future day he will move to suspend rule 21 for the purpose of introducing a bill.

On motion of Mr. A. E. Smith, the House adjourned.

TUESDAY, SEPTEMBER 19, 1911.

The House met pursuant to adjournment.

Prayer by Rev. E. R. James, Rensselaer.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

By unanimous consent, Mr. A. E. Smith introduced a bill entitled "An act dividing the State in congressional districts" (Int. No. 1955), which was read the first time and referred to the committee on apportionment.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *September 19, 1911.*

Resolved (if the Assembly concurs), That the legislators respectfully request the Senators and Representatives in Congress from this State to use their best endeavors for the adoption or a resolution to submit to the Legislatures of the several States an amendment to the Constitution of the United States delegating to Congress power to establish uniform laws on the subject of divorce of married persons throughout the United States.

By order of the Senate,

PATRICK E. McCABE,

Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to accompany the committees of the Assembly appointed to attend the funeral of the late Luke McHenry, Clerk of the Assembly, and Hon. James Oliver, of the Third Assembly District of New York, and that the expenses of said committees be paid from the contingent fund of the Assembly upon the certificate of the Speaker and chairmen of said committees.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 96

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Ahern | Donnelly | Hearn | Merritt | Spielberg |
| Baumes | Donovan | Herrick J J | Miller | Stivers |
| Beach | Egan | Herrick W R | Mork | Sweet |
| Boylan | Farrell | Heyman | Murray | Terry |
| Brace | Filley | Hinman | Myers | Thorn |
| Brennan | Fitzpatrick | Hoey | Nolan | Trombly |
| Brereton | Foley | Hoff | O'Neill J J | Turley |
| Bridenbecker | Friedman | Jackson | O'Neil M A | Walker |
| Brown | Geatons | Jameson | Parker A | Ward |
| Bryant | Gerhardt | Jones | Parker J S | Waring |
| Butler | Goldstein | Kennedy | Patrie | Washburn |
| Carew | Goodman | Kopp | Saunders | Waters F A |
| Caughlan | Gould | Lansing | Schifferdecker | Waters R B |
| Cheney | Graubard | LaReau | Seeley | Weil |
| Collin | Gregg | Levy A J | Shannon | Wheeler |
| Connell | Gurnett | Manley | Sheide | Wilson |
| Constantine | Hackett | Martin | Shepardson | Winters |
| Cross | Haines | McElligott | Smith A E | Yeomans |
| Cuvillier | Hart | McKeon | Smith T K | Zorn |
| Dawson | | | | |

The Speaker appointed the following Members of Assembly a committee to attend the funeral of Hon. James Oliver: Mr. Smith of New York, Mr. Hackett of New York, Mr. Donnelly of New York, Mr. Foley of New York, Mr. A. J. Levy of New York, Mr. Cuvillier of New York, Mr. Merritt of St. Lawrence, Mr. A. J. Phillips of Allegany, Mr. Yale of Putnam, Mr. Ward of New York.

The Speaker appointed the following Members of Assembly a committee to attend the funeral of Hon. Luke McHenry: Mr. Gould of Niagara, Mr. Miller of Otsego, Mr. Drummond of Cayuga, Mr. Bridenbecker of Herkimer, Mr. Gregg of Lewis, Mr. DeLano of Madison, Mr. Connell of Onondaga.

On motion of Mr. A. E. Smith, the House adjourned.

WEDNESDAY, SEPTEMBER 20, 1911.

The House met pursuant to adjournment.

Mr. A. E. Smith in the chair.

Prayer by Rev. John Dominick, Gloversville.

On motion of Mr. Donnelly, the reading of the journal of yesterday was dispensed with and the same was approved.

By unanimous consent, Mr. Cuvillier offered for the consideration of the House a resolution, in the words following:

Resolution petitioning Congress to establish an army post in the city of Albany, State of New York.

Whereas, The city of Albany is considered the most important strategic point of defense on the Atlantic seaboard. Located at the confluence of the Hudson and Mohawk rivers and the Erie canal, thereby connecting the city of New York, the greatest seaport in the United States, with the navigable Hudson river, the West Shore and the New York Central lines, constituting the greatest rail and water line of communication in conjunction with the Erie, Lehigh Valley and the Delaware and Lackawanna systems which converge with the West Shore and New York Central, where the jugular vein of the nation's commerce lies uncovered on the border of a foreign frontier.

Whereas, The city of Albany stands at the junction of lines of communication to the east, west, north and south, and constitutes a point from which United States troops could move to active defense with the least resistance. And it is the duty of each State to lend its assistance to the United States government in the protection of the United States from a foreign invasion.

Resolved (if the Senate concur), It is the sense of the Legislature of the State of New York that the United States government establish an army post in the city of Albany, and the State of New York through its Legislature will at all times patriotically render any assistance to the United States government in the proper defense of the nation; and be it further

Resolved, That the representatives in Congress from the State of New York be requested to use their endeavors to establish an army post in the city of Albany at the next session of Congress which convenes on the first Monday in December, 1911; and be it further

Resolved, That a copy of this resolution be forwarded to the President of the Senate and the Speaker of the House of Representatives, and to each member of the House of Representatives and Senators.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

On motion of Mr. Donnelly, the House adjourned.

THURSDAY, SEPTEMBER 21, 1911.

The House met pursuant to adjournment.

Mr. Bush in the chair.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. Hoey, the reading of the journal of yesterday was dispensed with and the same was approved.

On motion of Mr. Hoey, the House adjourned out of respect to the memory of the late James Oliver.

FRIDAY, SEPTEMBER 22, 1911.

The House met pursuant to adjournment.

Mr. Foley in the chair.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. Hoff, the reading of the journal of yesterday was dispensed with and the same was approved.

On motion of Mr. Hoff, the House adjourned.

MONDAY, SEPTEMBER 25, 1911.

The House met pursuant to adjournment.

Mr. Foley in the chair.

Prayer by Rev. J. Henry Stelljes.

By unanimous consent, the reading of the journal of Friday, September 22, was dispensed with and the same was approved.

By unanimous consent, Assembly bill (No. 2609, Int. No. 1261), entitled "An act constituting the charter of the city of New York," was ordered amended by the substitution of the following substitute bill:

(See Appendix No. 33.)

and ordered printed and recommitted to the committee on affairs of cities.

Mr. Speaker declared the House adjourned until Tuesday, September 26th, at eleven o'clock A. M.

TUESDAY, SEPTEMBER 26, 1911.

The House met pursuant to adjournment.

Mr. A. E. Smith in the chair.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. Gregg, the reading of the journal of yesterday was dispensed with and the same was approved.

On motion of Mr. Gregg, the House adjourned.

WEDNESDAY, SEPTEMBER 27, 1911.

The House met pursuant to adjournment.

Mr. A. E. Smith in the chair.

Prayer by Rev. S. H. Goldenson.

On motion of Mr. Foley, the reading of the journal of yesterday was dispensed with and the same was approved.

A message from the Governor, by the hand of his secretary, was received and read in words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *September 27, 1911.*

To the Legislature:

A sense of public duty and a realization of a personal obligation to the people of the State, impel me to again ask the attention of your honorable body to the importance of enacting at this session a direct nomination bill which in good faith will meet the expectation and demand of the citizens of the State, irrespective of political affiliation. That there may be no misunderstanding of my position as Chief Executive, I desire to reiterate the statements contained in my message to the Legislature on July 18th last, that:

“Direct nominations is not, and should not be, a party question. All the political parties have declared in favor of the principle of direct nomination of party candidates and of members of party committees by enrolled party voters. The Rochester platform pledged the Democratic party to the principle of state-wide direct primaries that will ‘ensure to the people that right to choose members of political committees and nominate candidates for public office.’ The Republican platform was hardly less explicit. The duty of fulfilling these pledges to the people rests alike upon all members of the Legislature, irrespective of political affiliation.

The question should be approached, not in a party spirit, but with an eye single to serving the State, and to the improvement in political methods and conditions which will follow the adoption of a system of nominations and committee appointments that places directly in the hands of party voters the nomination of party candidates and the naming of members of party committees.

"The people of the State have accepted in good faith the declaration of all the political parties, and especially the declaration of the Rochester convention, to mean a primary law state-wide in its application and operation, and ensuring to party voters the right to nominate practically all candidates for elective offices.

"In working out the details of a system of direct nominations, honest differences of opinion may exist. These differences should be settled by discussion and perhaps by mutual concession and compromise that involve no surrender of the essential and vital elements of the principle of state-wide direct nominations. But the system itself rests on fundamental requirements that cannot be ignored or surrendered. If the political parties represented in the Legislature are to keep faith with the people, party primaries must be surrounded with all the safeguards and accessories of a general election.

"Members of political committees, beginning with the State Committee, and including all the lesser committees, should be the direct choice of the party voters within the district they represent on the committees. It is no proper function of a State convention to name or elect the members of the State Committee of a political party. I do not believe the people will tolerate a bill that takes from the voters of the party within the political subdivisions that constitute the State Committee, the right to name their representative on the highest and most powerful body within the party organization.

"An official ballot is another essential requisite of a direct nomination measure that will meet the expectation and the demands of the people of the State. The absence of an official ballot will create confusion and chaos, and may open the door to fraud. Nominating primaries should be conducted with all the safeguards of a general election. An official ballot is as essential to an honest and efficient primary as it is to the honest election of candidates on election day. Party and political chaos should be avoided and not invited. Chaos will be inevitable at a nominating primary without an

official ballot. Neither should nominations be made unnecessarily expensive. The absence of an official ballot would compel each candidate to print and distribute his own ballot. This condition must inevitably produce confusion, both inside and outside party lines, and in many instances create an expense so great as to prevent many men from seeking public office."

Primary reform and direct nominations constituted one of the underlying issues of the last State election. The Democratic party promised a state-wide system of direct primary nominations. Upon a comprehensive and unambiguous pledge the party elected a majority of both branches of the Legislature. The people have a right to demand that the pledge made by the party convention and by individual candidates for the Legislature shall be fully redeemed. A failure to keep faith with the people must be regarded as a betrayal of the voters of the State; while a legislator elected on a direct nomination platform, whether Democrat or Republican, who withholds his support from an adequate and honest direct nomination bill, will be open to the charge of repudiating a public duty and a personal and political obligation, and to this charge no explanation can be offered and no defense framed.

An honest, state-wide system of direct nominations will render party organization responsible to the party membership and thereby make representative government representative in fact as well as in theory and name. Under our political system, self-government cannot be fully established until the people themselves are given the power to nominate candidates for elective offices.

The majority party is under peculiar obligation to give to the State a complete measure of direct nominations. There was no ambiguity or reservation in the promise and pledge upon which the Democratic party was entrusted with control of the entire State government. The party will was expressed in the party platform. It was confirmed and endorsed at the polls. There remains now the solemn duty upon party representatives in the Legislature to redeem the party promise and obligation.

The time has passed to question the wisdom of direct nominations. At the last State election all political parties entered into a contract with the people. The people expect that the contract will be carried out to the letter. This just expectation cannot be met by the enactment of a half-way measure that in effect will be a repudiation of the system of state-wide direct nominations promised during the campaign. The people of the State have decreed their demand that the Legislature shall enact and the

Governor sign a law which will establish a system of state-wide direct nominations that will place in the hands of the voters complete control of party committees and party nominations. In no other way can the people obtain and maintain control of their government.

Again I repeat my hope and expectation that, without reference to party divisions or political affiliations, the Legislature at its present session will enact a measure of direct nominations and primary reform which will meet the reasonable and righteous demand of the people of the State of New York.

JOHN A. DIX.

which was laid upon the table and ordered printed.

(See Senate Document No. 58.)

On motion of Mr. Foley, the House took a recess until 1:30 o'clock P. M.

ONE O'CLOCK AND THIRTY MINUTES, P. M.

The House again convened.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

| | | | | |
|--------------|-------------|------------|----------------|-----------|
| Adler | Donovan | Higgins | Merritt | Shortt |
| Ahern | Drummond | Hinman | Miller | Smith A E |
| Allen | Egan | Hoey | Monczynski | Smith T K |
| Baumes | Farrell | Hoff | Mork | Spielberg |
| Blauvelt | Fay | Hoyt | Murray | Stivers |
| Boylan | Filley | Huber | Myers | Sweet |
| Brace | Fitzpatrick | Jackson | Neupert | Talmage |
| Brennan | Foley | Jameson | Nolan | Terry |
| Brereton | Friedman | Jones | O'Connor | Thorn |
| Bridenbecker | Geatons | Kennedy | O'Neill J J | Trombly |
| Bryant | Gerhardt | Keys | O'Neil M A | Turley |
| Bush | Gerken | Lansing | Pappert | Walker |
| Butler | Gillen | LaReau | Parker A | Warren |
| Carew | Goldberg | Levy A J | Parker J S | Weil |
| Caughlan | Graubard | Levy J | Patrie | Wende |
| Chanler | Gregg | Lincoln | Pierce | Wheeler |
| Coffey | Hackett | MacGregor | Saunders | White |
| Collin | Haines | Manley | Schifferdecker | Wilson |
| Cosad | Hammond | Martin | Seeley | Winters |
| Cuvillier | Hart | McCue | Shannon | Yale |
| Dawson | Hearn | McElligott | Sheide | Yeomans |
| Day | Herrick J J | McGrath | Shepardson | Young |
| Donnelly | Heyman | McKeon | Shlivek | Speaker |

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Foley, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Foley (No. 2610, Int. No. 1261), entitled "An act constituting the charter of the city of New York," reported in favor of the passage of the same without amendment, and requested that said bill be referred to the committee on rules, which report was agreed to, and said bill ordered referred to the committee on rules.

On motion of Mr. A. E. Smith, the House adjourned.

THURSDAY, SEPTEMBER 28, 1911.

The House met pursuant to adjournment.

Prayer by Rev. Creighton R. Storey.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Foley gives notice that he requests that Assembly bill (No. 2610, Int. No. 1261), entitled "An act constituting the charter of the city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

| | | | | |
|--------------|-------------|----------|-------------|-----------|
| Adler | Donovan | Heyman | McElligott | Shortt |
| Ahern | Drummond | Higgins | McGrath | Smith A E |
| Allen | Ebbetts | Hinman | McKeon | Smith T K |
| Baumes | Egan | Hoey | Merritt | Stivers |
| Beach | Evans | Hollmann | Miller | Sweet |
| Blauvelt | Fitzpatrick | Hoyt | Monczynski | Talmage |
| Boylan | Foley | Huber | Mork | Terry |
| Brace | Friedman | Jackson | Murray | Thorn |
| Brennan | Geatons | Jameson | Myers | Trombly |
| Bridenbecker | Gerhardt | Jones | Neupert | Turley |
| Brooks | Gillen | Kennedy | Nolan | Walker |
| Brown | Goldberg | Keys | O'Connor | Ward |
| Bryant | Goldstein | Kopp | O'Neill J J | Warren |

| | | | | |
|-------------|-------------|-----------|------------|------------|
| Bush | Goodman | Lansing | O'Neil M A | Washburn |
| Butler | Goodwin | LaReau | Pappert | Waters F A |
| Caughlan | Gould | Lent | Parker A | Waters R B |
| Chanler | Graubard | Levy A J | Parker J S | Weil |
| Cheney | Gregg | Levy J | Patrie | Wende |
| Coffey | Gurnett | Lincoln | Pierce | White |
| Collin | Hackett | Macdonald | Saunders | Wilson |
| Constantine | Haines | MacGregor | Seeley | Winters |
| Cosad | Hammond | Manley | Shannon | Yale |
| Cuvillier | Hart | Martin | Sheide | Yeomans |
| Dawson | Hearn | McCue | Shepardson | Young |
| Day | Herrick J J | McDaniels | Shlivek | Speaker |
| Donnelly | Herrick W R | | | |

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Foley (No. 2610, Int. No. 1261), entitled "An act constituting the charter of the city of New York," reported in favor of the passage of the same without amendment, and that the same be made a special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bill ordered made a special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

On motion of Mr. Foley, the committee on rules was instructed to report Senate bill (No. 2207, Rec. No. 632), entitled "An act to amend the Stock Corporation Law, with reference to reorganization of corporations subject to the Public Service Commissions' Law," with the following amendments:

Page 1, line 7, strike out "and".

Page 1, line 9, insert italics after "sale" "and of holders of claims for materials, supplies and equipment furnished and for injuries and damages sustained, in and about the operation, maintenance or construction of any or all the property formerly owned or leased to said corporation,".

Page 2, line 22, insert in italics before "upon" the following words: "or any claims for materials, supplies and equipment furnished or any claims for injuries and damages sustained, in and about the operation, maintenance or construction of any or all the property formerly owned or leased to said corporation,".

Mr. Speaker, from the committee on rules, reported said bill amended as directed.

On motion of Mr. Foley, said bill was ordered reprinted as amended and recommitted to said committee.

Mr. Speaker announced the special order, being the bill (No. 2610, Int. No. 1261), entitled "An act constituting the charter of the city of New York."

Mr. A. E. Smith in the chair.

Debate was had thereon.

Mr. Hammond in the chair.

Debate thereon was continued.

Mr. Speaker in the chair.

Debate thereon was continued.

Mr. A. E. Smith moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. O'Connor moved that the bill be read section by section.

Mr. Speaker declared the motion out of order, the previous question having been ordered.

On motion of Mr. Foley, said bill was read the second time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 76

NOES 57

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Beach | Donovan | Graubard | Manley | Patrie |
| Blauvelt | Drummond | Gregg | Martin | Saunders |
| Boylan | Egan | Gurnett | McCue | Schifferdecker |
| Brace | Evans | Hackett | McDaniels | Seeley |
| Brennan | Farrell | Hearn | McElligott | Sheide |
| Bridenbecker | Fay | Herrick J J | McGrath | Smith A E |
| Bush | Fitzpatrick | Herrick W R | McKeon | Spielberg |
| Carew | Foley | Heyman | Miller | Trombly |
| Caughlan | Geatons | Hoey | Monczynski | Turley |
| Chanler | Gerhardt | Hollmann | Mork | Walker |
| Collin | Gerken | Hoyt | Myers | Warren |
| Cosad | Gillen | Jackson | Neupert | Washburn |
| Cuvillier | Goldberg | Jameson | O'Neill J J | Weil |
| Dawson | Goldstein | Levy A J | O'Neil M A | Wende |
| Day | Gould | Levy J | Parker A | Mr. Speaker |
| Donnelly | | | | |

Those who voted in the negative were:

| | | | | |
|-------------|----------|-----------|--------------|------------|
| Adler | Friedman | Keys | Parker J S | Thorn |
| Ahern | Goodman | Kopp | Phillips C W | Ward |
| Allen | Goodwin | Lansing | Pierce | Waring |
| Baumes | Haines | LaReau | Shannon | Waters F A |
| Brooks | Hammond | Lent | Shepardson | Waters R B |
| Brown | Hart | Lincoln | Shlivek | White |
| Bryant | Higgins | MacGregor | Shortt | Wilson |
| Cheney | Hinman | Merritt | Smith T K | Winters |
| Coffey | Hoff | Murray | Stivers | Yale |
| Constantine | Huber | Nolan | Talmage | Yeomans |
| Ebbetts | Jones | Pappert | Terry | Young |
| Filley | Kennedy | | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Evans offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 2224, Int. No. 1795), entitled "An act to amend the Highway Law, in relation to the construction of county highways by towns," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Evans offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 2227, Int. No. 1798), entitled "An act to amend the Highway Law, in relation to State aid for towns in the building of highways," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Dawson offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 1228, Int. No. 1061), entitled "An act to release to the heirs-at-law of John Elliott all the right, title and interest of the people of the State of New York in and to certain real estate, formerly

owned by Matilda Clifton, deceased, in the city of Buffalo," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Colne of Kings was excused indefinitely.

On motion of Mr. A. E. Smith, the House adjourned.

FRIDAY, SEPTEMBER 29, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to amend the Election Law, generally" (No. 2322, Rec. No. 647), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Lien Law in relation to the protection of persons furnishing materials and labor for the construction of public buildings or other public works" (No. 2318, Rec. No. 646), which was read for the first time.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it; therefore, in accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill (Int. No. 1708, Printed No. 2318), entitled "An act to amend the Lien Law, in relation to

the protection of persons furnishing materials and labor for the construction or repair of public buildings or other public works."

Given under my hand and the Privy Seal of the State at the Capitol in the city of Albany this twenty-ninth [L. s.] day of September in the year of our Lord one thousand nine hundred and eleven.

JOHN A. DIX.

By the Governor:

JOHN A. MASON,

Secretary to the Governor.

By unanimous consent, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Herrick J J | McGrath | Shortt |
| Ahern | Donovan | Herrick W R | McKeon | Smith A E |
| Allen | Drummond | Heyman | Merritt | Smith T K |
| Baumes | Ebbetts | Higgins | Miller | Spielberg |
| Beach | Egan | Hinman | Monczynski | Stivers |
| Blauvelt | Evans | Hoey | Mork | Sweet |
| Boylan | Farrell | Hoff | Murray | Talmage |
| Brace | Fay | Hollmann | Myers | Terry |
| Brennan | Fitzpatrick | Hoyt | Neupert | Thorn |
| Bridenbecker | Foley | Huber | Nolan | Trombly |
| Brooks | Friedman | Jackson | O'Connor | Turley |
| Brown | Geatons | Jameson | O'Neill J J | Walker |
| Bryant | Gerhardt | Kennedy | O'Neil M A | Ward |
| Bush | Gerken | Keys | Pappert | Warren |
| Butler | Gillen | Kopp | Parker A | Washburn |
| Carew | Goldberg | LaReau | Parker J S | Waters F A |
| Caughlan | Goldstein | Lent | Patrie | Waters R B |
| Chanler | Goodwin | Levy A J | Phillips C W | Weil |
| Cheney | Gould | Levy J | Phillips J S | Wende |
| Coffey | Graubard | Lincoln | Saunders | Wheeler |
| Collin | Gregg | MacGregor | Schifferdecker | White |
| Constantine | Gurnett | Manley | Seeley | Wilson |
| Cosad | Hackett | Martin | Shannon | Winters |
| Cross | Haines | McCue | Sheide | Yale |
| Cuvillier | Hammond | McDaniels | Shepardson | Yeomans |
| Dawson | Hart | McElligott | Shlivek | Young |
| Day | Hearn | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bill:

“An act to constitute poor district number one of the county of Orange, in relation to the support of the poor in said district, and ratifying and confirming certain acts of the board of supervisors and other county officers in relation thereto” (No. 2314, Rec. No. 645), which was read the first time.

On motion of Mr. Baumes, and by unanimous consent, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it, therefore, in accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill (Int. No. 1704, Printed No. 2314), entitled “An act to constitute poor district number one of the county of Orange, in relation to the support of the poor in said district, and ratifying and confirming certain acts of the board of supervisors and other county officers in relation thereto.”

Given under my hand and the Privy Seal of the State at the Capitol in the city of Albany this twenty-ninth
[L. S.] day of September in the year of our Lord one thousand and nine hundred and eleven.

JOHN A. DIX.

By the Governor:

JOHN A. MASON,
Secretary to the Governor.

By unanimous consent, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | DeLano | Herrick J J | McGrath | Shortt |
| Ahern | Donovan | Herrick W R | McKeon | Smith A E |
| Allen | Drummond | Heyman | Merritt | Smith T K |
| Baumes | Ebbetts | Higgins | Miller | Spielberg |
| Beach | Egan | Hinman | Monczynski | Stivers |
| Blauvelt | Evans | Hoey | Mork | Sweet |
| Boylan | Farrell | Hoff | Murray | Talmage |
| Brace | Fay | Hollmann | Myers | Terry |
| Brennan | Fitzpatrick | Hoyt | Neupert | Thorn |
| Bridenbecker | Foley | Huber | Nolan | Trombly |
| Brooks | Friedman | Jackson | O'Connor | Turley |
| Brown | Geatons | Jameson | O'Neill J J | Walker |
| Bryant | Gerhardt | Kennedy | O'Neil M A | Ward |
| Bush | Gerken | Keys | Pappert | Warren |
| Butler | Gillen | Kopp | Parker A | Washburn |
| Carew | Goldberg | LaReau | Parker J S | Waters F A |
| Caughlan | Goldstein | Lent | Patrie | Waters R B |
| Chanler | Goodwin | Levy A J | Phillips C W | Weil |
| Cheney | Gould | Levy J | Phillips J S | Wende |
| Coffey | Graubard | Lincoln | Saunders | Wheeler |
| Collin | Gregg | MacGregor | Schifferdecker | White |
| Constantine | Gurnett | Manley | Seeley | Wilson |
| Cosad | Hackett | Martin | Shannon | Winters |
| Cross | Haines | McCue | Sheide | Yale |
| Cuvillier | Hammond | McDaniels | Shepardson | Yeomans |
| Dawson | Hart | McElligott | Shlivek | Young |
| Day | Hearn | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 2227, Int. No. 1798), entitled "An act to amend the Highway Law, in relation to State aid for towns in the building of highways," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 2224, Int. No. 1795), entitled "An act to amend the Highway Law, in relation to the construction of county highways by towns," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 1228, Int. No. 1061), entitled "An act to release to the heirs-at-law of John Elliott all the right, title

and interest of the people of the State of New York in and to certain real estate, formerly owned by Matilda Clifton, deceased, in the city of Buffalo," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. A. E. Smith, the House adjourned until Saturday, September 30th, at 11 o'clock A. M.

SATURDAY, SEPTEMBER 30, 1911.

The House met pursuant to adjournment.

Mr. A. E. Smith in the chair.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. Foley, the reading of the journal of yesterday was dispensed with and the same was approved.

A message from the Governor was received and read, in words following:

To the Legislature:

I recommend for your earnest and immediate consideration the repeal of chapter 779 of the Laws of 1911, known as the Athletic Commission bill.

When this bill came before me for signature, I believed that it would prevent the disorderly and unregulated exhibitions of boxing which have been given in this State for the last few years. The brief experience with the existing law has satisfied me that it is not adapted to produce such a result. The conditions which have arisen under it are hostile to the feelings and the interests of the law abiding citizens of the State, and should be ended at once. I have already taken such steps as I can, under the law, to prevent such occurrences, and propose to exercise such further powers as I have to that end. I, therefore, urge upon you the repeal of the law under which these occurrence have arisen.

(Signed) JOHN A. DIX.

which was laid upon the table and ordered printed.

Mr. Foley moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Haines | McElligott | Shlivek |
| Ahern | Donnelly | Hammond | McGrath | Shortt |
| Allen | Donovan | Hearn | McKeon | Smith A E |
| Baumes | Drummond | Herrick J J | Merritt | Smith T K |
| Beach | Ebbetts | Herrick W R | Miller | Spielberg |
| Blauvelt | Egan | Heyman | Monczynski | Stivers |
| Boylan | Evans | Hinman | Mork | Sullivan |
| Brace | Farrell | Hoey | Murray | Sweet |
| Brennan | Fay | Hoff | Myers | Talmage |
| Breton | Fitzpatrick | Hollmann | Neupert | Terry |
| Bridenbecker | Foley | Hoyt | Nolan | Thorn |
| Brooks | Friedman | Jackson | O'Connor | Trombly |
| Bryant | Fry | Jameson | O'Neil J J | Turley |
| Bush | Geatons | Kennedy | O'Neil M A | Walker |
| Butler | Gerhardt | Keys | Parker A | Ward |
| Carew | Gerken | Kopp | Parker J S | Warren |
| Caughlan | Gillen | Lansing | Patrie | Washburn |
| Chanler | Goldberg | LaReau | Phillips C W | Waters F A |
| Cheney | Goldstein | Levy A J | Phillips J S | Weil |
| Coffey | Goodman | Levy J | Pierce | Wende |
| Collin | Goodwin | Macdonald | Saunders | Wheeler |
| Constantine | Gould | MacGregor | Schifferdecker | Winters |
| Cosad | Graubard | Manley | Seeley | Yale |
| Cross | Gregg | Martin | Shannon | Yeomans |
| Cuvillier | Gurnett | McCue | Sheide | Young |
| Dawson | Hackett | McDaniels | Shepardson | Zorn |

Mr. Foley moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence the following entitled bills:

"An act to legalize the publication of advertisement for proposals for the contract for the construction of a sewer in Stanton street, in the town of Gates, Monroe county" (No. 2251, Rec. No. 648), which was read the first time.

On motion of Mr. Adler, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Adler, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 111

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-----------|
| Adler | Donovan | Hammond | Miller | Shortt |
| Ahern | Drummond | Hearn | Monczynski | Smith A E |
| Baumes | Ebbetts | Herrick J J | Mork | Smith T K |
| Beach | Egan | Herrick W R | Murray | Spielberg |
| Blauvelt | Evans | Heyman | Myers | Stivers |
| Boylan | Farrell | Hoey | Neupert | Sweet |
| Brace | Fitzpatrick | Hoff | Nolan | Talmage |
| Brennan | Foley | Hollmann | O'Connor | Terry |
| Bridenbecker | Friedman | Hoyt | O'Neill J J | Thorn |
| Brooks | Fry | Jackson | O'Neil M A | Turley |
| Bryant | Geatons | Jameson | Pappert | Walker |
| Bush | Gerhardt | Keys | Parker A | Ward |
| Butler | Gerken | Kopp | Parker J S | Warren |
| Carew | Gillen | LaReau | Patrie | Washburn |
| Caughlan | Goldberg | Levy J | Phillips J S | Weil |
| Coffey | Goodwin | Manley | Pierce | Wende |
| Collin | Gould | Martin | Saunders | Wheeler |
| Constantine | Graubard | McCue | Schifferdecker | Winters |
| Cosad | Gregg | McDaniels | Shannon | Ya e |
| Cross | Gurnett | McElligott | Sheide | Yeomans |
| Dawson | Hackett | McGrath | Shepardson | Young |
| Day | Haines | Merritt | Shlivek | Zorn |
| Donnelly | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bill:

“An act providing for the re-establishment of the State library and making an appropriation therefor, and authorizing contracts for furnishing the Education building” (No. 2305, Rec. No. 649), which was read the first time.

On motion of Mr. Foley, and by unanimous consent, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

To the Legislature:

It appearing to my satisfaction that the public interest requires it, therefore, in accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill (Int. No. 1677, Printed No. 2305), as amended, entitled “An act providing for the re-establishment of the State library and making an appropriation

therefor, and authorizing contracts for furnishing the Education building."

Given under my hand and the Privy Seal of the State at the Capitol in the city of Albany this thirtieth day of [L. s.] September in the year of our Lord one thousand nine hundred and eleven.

JOHN A. DIX.

By the Governor:

JOHN A. MASON,

Secretary to the Governor.

By unanimous consent, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 111

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-----------|
| Adler | Donovan | Hammond | Miller | Shortt |
| Ahern | Drummond | Hearn | Monczynski | Smith A E |
| Baumes | Ebbetts | Herrick J J | Mork | Smith T K |
| Beach | Egan | Herrick W R | Murray | Spielberg |
| Blauvelt | Evans | Heyman | Myers | Stivers |
| Boylan | Farrell | Hoey | Neupert | Sweet |
| Brace | Fitzpatrick | Hoff | Nolan | Talmage |
| Brennan | Foley | Hollmann | O'Connor | Terry |
| Bridenbecker | Friedman | Hoyt | O'Neill J J | Thorn |
| Brooks | Fry | Jackson | O'Neil M A | Turley |
| Bryant | Geatons | Jameson | Pappert | Walker |
| Bush | Gerhardt | Keys | Parker A | Ward |
| Butler | Gerken | Kopp | Parker J S | Warren |
| Carew | Gillen | LaReau | Patrie | Washburn |
| Caughlan | Goldberg | Levy J | Phillips J S | Weil |
| Coffey | Goodman | Manley | Pierce | Wende |
| Collin | Gould | Martin | Saunders | Wheeler |
| Constantine | Graubard | McCue | Schifferdecker | Winters |
| Cosad | Gregg | McDaniels | Shannon | Yale |
| Cross | Gurnett | McElligott | Sheide | Yeomans |
| Dawson | Hackett | McGrath | Shepardson | Young |
| Day | Haines | Merriitt | Shlivek | Zorn |
| Donnelly | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bill:

“An act to amend chapter three hundred and sixty of the Laws of nineteen hundred and eleven, entitled ‘An act to promote the health and efficiency of policemen in cities of the first and second class,’ in relation to the application of said act to the city of New York” (No. 2316, Rec. No. 650), which was read the first time.

On motion of Mr. Foley, and by unanimous consent, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it, therefore, in accordance with the provisions of section fifteen of article three of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill (Int. No. 1706, Printed No. 2316), entitled “An act to amend chapter three hundred and sixty of the Laws of nineteen hundred and eleven, entitled ‘An act to promote the health and efficiency of policemen in cities of the first and second class,’ in relation to the application of said act to the city of New York.”

Given under my hand and the Privy Seal of the State at
the Capitol in the city of Albany this twenty-ninth
[L. s.] day of September in the year of our Lord one thousand
and nine hundred and eleven.

JOHN. A. DIX.

By the Governor:

JOHN A. MASON,

Secretary to the Governor.

By unanimous consent, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 111

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-----------|
| Adler | Donovan | Hammond | Miller | Shortt |
| Ahern | Drummond | Hearn | Monczynski | Smith A E |
| Baumes | Ebbetts | Herrick J J | Mork | Smith T K |
| Beach | Egan | Herrick W R | Murray | Spielberg |
| Blauvelt | Evans | Heyman | Myers | Stivers |
| Boylan | Farrell | Hoey | Neupert | Sweet |
| Brace | Fitzpatrick | Hoff | Nolan | Talmage |
| Brennan | Foley | Hollmann | O'Connor | Terry |
| Bridenbecker | Friedman | Hoyt | O'Neill J J | Thorn |
| Brooks | Fry | Jackson | O'Neil M A | Turley |
| Bryant | Geatons | Jameson | Pappert | Walker |
| Bush | Gerhardt | Keys | Parker A | Ward |
| Butler | Gerken | Kopp | Parker J S | Warren |
| Carew | Gillen | LaReau | Patrie | Washburn |
| Caughlan | Goldberg | Levy J | Phillips J S | Weil |
| Coffey | Goodwin | Manley | Pierce | Wende |
| Collin | Gould | Martin | Saunders | Wheeler |
| Constantine | Graubard | McCue | Schifferdecker | Winters |
| Cosad | Gregg | McDaniels | Shannon | Yale |
| Cross | Gurnett | McElligott | Sheide | Yeomans |
| Hawson | Hackett | McGrath | Shepardson | Young |
| Day | Haines | Merritt | Shlivek | Zorn |
| Donnelly | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bills:

"An act to amend the Election Law, in relation to nominations and primaries" (No. 2326, Rec. No. 651), which was read the first time and referred to the committee on the judiciary.

Mr. O'Connor offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of the Senate bill (No. 2326, Rec. No. 651), entitled "An act to amend the Election Law, in relation to nominations and primaries."

Mr. Speaker declared the resolution not in order under Rule 10.

Mr. O'Connor appealed from the decision of the Chair.

Mr. A. J. Levy moved to lay said appeal on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

"An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations" (No. 2302, Rec. No. 652), which was read the first time.

On motion of Mr. Foley, and by unanimous consent, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it; therefore, in accordance with the provisions of section fifteen of article three of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill (Int. No. 1695, Printed No. 2302), as amended, entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations."

Given under my hand and the Privy Seal of the State at the Capitol in the city of Albany this thirtieth day of
[L. s.] September in the year of our Lord one thousand nine hundred and eleven.

JOHN A. DIX.

By the Governor.

JOHN A. MASON,

Secretary to the Governor.

By unanimous consent, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 118

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|-----------|
| Adler | Donovan | Haines | Merritt | Smith A E |
| Ahern | Drummond | Hammond | Miller | Smith T K |
| Baumes | Ebbetts | Hearn | Monczynski | Spielberg |
| Beach | Egan | Herrick J J | Mork | Stivers |
| Blauvelt | Evans | Herrick W R | Myers | Sweet |
| Boylan | Farrell | Heyman | Neupert | Talmage |
| Brace | Fitzpatrick | Hoey | Nolan | Terry |
| Brennan | Foley | Hoff | O'Connor | Thorn |
| Bridenbecker | Friedman | Hollmann | O'Neill J J | Trombly |
| Brooks | Fry | Hoyt | O'Neil M A | Turley |
| Bryant | Geatons | Jackson | Pappert | Walker |
| Bush | Gerhardt | Jameson | Parker A | Ward |
| Butler | Gerken | Keys | Parker J S | Warren |

| | | | | |
|-------------|-----------|------------|----------------|------------|
| Carew | Gillen | Kopp | Patrie | Washburn |
| Caughlan | Goldberg | LaReau | Phillips J S | Waters F A |
| Coffey | Goldstein | Levy J | Pierce | Weil |
| Collin | Goodman | Maedonald | Saunders | Wende |
| Constantine | Goodwin | MacGregor | Schifferdecker | Wheeler |
| Cosad | Gould | Manley | Shannon | Winters |
| Cross | Graubard | Martin | Sheide | Yale |
| Cuvillier | Gray | McCue | Shepardson | Yeomans |
| Dawson | Gregg | McDaniels | Shlivek | Young |
| Day | Gurnett | McElligott | Shortt | Zorn |
| Donnelly | Hackett | McGrath | | |

In the negative:

Murray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. A. J. Levy, from the committee on the judiciary, to which was referred Assembly bill (No. 2608, Int. No. 1955) introduced by Mr. A. E. Smith, entitled "An act dividing the State into congressional districts," reported in favor of the passage of the same with the following amendments, and requested that the bill be made a special order on the second and third reading for this day:

On page 5, line 17, after the word "avenue" strike out the " ; " and insert instead thereof a " ; ".

On page 9, line 20, strike out the word "west" and insert instead thereof the word "east".

On page 19, line 8, after the word "Kings" strike out the " ; " and insert instead thereof a " ; ".

On page 19, line 25, after the word "street", first occurring on said line, strike out the " ; " and insert instead thereof a " ; ".

On page 21, line 4, after the word "parkway", second occurring on said line, strike out the " ; ".

On page 21, line 6, strike out the word "northeast" and insert instead thereof the word "northwest".

On page 22, line 11, strike out the word "Glove" and insert instead thereof the word "Clove".

On page 23, line 1, after the word "Queens" strike out the " ; ".

On page 23, line 14, after the word "line" add the letter "s".

On page 25, line 23, strike out the word "Glove" and insert instead thereof the word "Clove".

On page 26, line 7, after the word "borough" add the letter "s".

On page 27, line 4, strike out the word "Glove" and insert instead thereof the word "Clove".

On page 28, line 15, strike out the word "Glove" and insert instead thereof the word "Clove".

Page 16, line 7, after the word "first" insert "," and the word "third".

On page 16, line 27, strike out all on said line following the "," which succeeds the word "avenue".

On page 17, line 1, strike out everything commencing with the word "county" down to and including the ";" which succeeds the word "avenue" on line 10.

Page 17, line 15, strike out everything following ";" which succeeds the word "street" down to and including the ";" which succeeds the word "street" on line 21.

Page 19, line 4, after the word "to", first occurring on said line, insert "Court street; north to Nelson street; west to Clinton street; south to Huntington street; west to Henry street; south to Mill street; west to".

Page 19, line 8, strike out everything commencing with the word "that" down to and including the ";" which succeeds the word "street" on line 13.

Page 19, line 16, insert after the word "street", first occurring on said line, the following: "to Clinton street, to Nelson street, to Court street, to Huntington street,".

Page 21, line 1, after the semicolon, second occurring on said line, insert "north to Mill street; east to Henry street; north to Huntington street; east to Clinton street; north to Nelson street; east to Court street; south to Huntington street,".

Page 21, line 1, strike out the words "north to Huntington street,".

On page 56, line 4, after the word "of" and before the word "Amherst" insert the word "Alden".

On page 56, line 4, after the word "Cheektowaga" and before the word "and" insert the following: "Clarence, Elma, Lancaster, Marilla and Newstead,".

On page 56, line 4, strike out "eighth, ninth, tenth," and instead thereof insert after the word "the", second occurring on said line, the word "sixth".

On page 56, line 5, strike out the word "eleventh".

On page 56, line 6, strike out the word "and" occurring between the words "eighteen" and "nineteenth".

On page 56, line 6, after the word "eighteenth" insert ":", and after the word "nineteenth" insert ":", and after the ":" so inserted after the word "nineteenth" before the word "Wards" insert "twenty-sixth and twenty-seventh".

On page 56, line 9, strike out the words "Alden" and "Clarence".

On page 56, line 10, strike out the word "Elma".

On page 56, line 11, strike out the words "Lancaster, Marilla" and the word "Newstead".

On page 56, line 12, after the word "Wales" strike out the "," and insert instead thereof the word "and".

On page 56, line 13, after the word "fifth" and before the word "Seventh" strike out the word "sixth" there occurring.

On page 56, line 13, after the word "seventh" strike out the words "twenty-sixth and".

On page 56, line 13, after the word "seventh" insert "eighth, ninth, tenth and eleventh".

On page 56, line 14, strike out the word "twenty-seventh".

On page 28, line 22, after the word "county" insert the following: "Governor's island, Bedloes island, Ellis island and".

On page 30, line 10, after the word "county", first occurring on said line. insert "," and the following: "Governor's island, Bedloes island and Ellis island,".

On page 30, line 13, after the word "northeast" and before the word "Carmine" strike out the word "to" and insert instead thereof the word "along".

On page 35, line 11, after the word "avenue" strike out the ";" and insert instead thereof a "," and the following: "along Seventh avenue to West Thirty-seventh street".

On page 40, line 5, after the word "street," first occurring on said line, and before the word "West" strike out the word "along" and insert instead thereof the word "from".

On page 52, line 18, after the period succeeding the word "district" insert the following: "City island, Hunters island, Hart's island, Twin island, High island, Middle Reef island, Rat island, The Bluezes and Chinney sweep and".

On page 52, line 18, strike out the words "That part" before the word "of" and insert instead thereof the words "that portion".

On page 53, line 6, after the ":" succeeding the word "follows" insert the following: "All of City island, Hunters island, Hart's island, Twin island, High island, Middle Reef island, Rat island, The Bluezes and Chinney sweep and".

On page 53, line 7, strike out the capital letter "B" occurring in the first word "Beginning" and instead thereof insert small letter "b".

On page 56, line 18, after the word "towns" and before the word "wards" strike out the word "and" there occurring and insert instead thereof ",".

On page 56, line 18, after the word "wards" and before the word "defined" insert "and election districts".

On page 56, line 21, after the word "ward" and before the

word "wards" strike out the word "or" there occurring and insert instead thereof a comma.

On page 56, line 21, after the word "wards" insert "," and the following: "election district or election districts".

On page 56, line 22, after the word "ward" and before the word "wards" strike out the word "or" there occurring and insert instead thereof a comma.

On page 56, line 22, after the word "wards" and before the word "as" insert a comma and the following: "election district or election districts".

On page 55, line 6, strike out the comma occurring between the words "Broome" and "Chenango" and instead thereof insert the word "and".

On page 55, line 6, after the word "Chenango" strike out the words "and Cortland".

On page 55, line 8, after the word "The" and before the word "of" strike out the word "county" and instead thereof insert the word "counties".

On page 55, line 8, after the word "Onondaga" insert the words "and Cortland".

which report was agreed to, and said bill ordered reprinted, as amended, and made a special order of second and third reading immediately.

Mr. Speaker announced the special order, being the bill (No. 2608, Reprint No. 2612, Int. No. 1955), entitled "An act dividing the State into congressional districts."

Said bill having been announced, Mr. Bush moved to amend as follows:

On page 55, line 6, strike out "Cortland" and insert "Tioga".

On page 55, line 8, change "County" to "Counties" and after "Onondaga" insert the words "and Cortland".

On page 55, line 10, strike out the word "Seneca".

On page 55, line 12, strike out the word "Tioga" and instead thereof insert the word "Seneca".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it; therefore in accordance with the provisions of section fifteen

of article three of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill (Int. No. 1955, Printed No. 2608), as amended, entitled "An act dividing the State into congressional districts."

Given under my hand and the Privy Seal of the State at the Capitol in the city of Albany this thirtieth day of [L. S.] September in the year of our Lord one thousand nine hundred and eleven.

JOHN A. DIX.

By the Governor:

JOHN A. MASON,

Secretary to the Governor.

By unanimous consent, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 80

NOES 53

Those who voted in the affirmative were:

| | | | | |
|-----------------------|-------------|-------------|-------------|----------------|
| Bjeach | Drummond | Graubard | Manley | Saunders |
| B ^o auvelt | Egan | Gregg | Martin | Schifferdecker |
| B ^o ylan | Evans | Gurnett | McCue | Seeley |
| Brace | Farrell | Hackett | McDaniels | Sheide |
| Brennan | Fay | Hearn | McElligott | Shortt |
| Bridenbecker | Fitzpatrick | Herrick J J | McGrath | Smith A E |
| Bush | Foley | Herrick W R | McKeon | Spielberg |
| Carew | Friedman | Heyman | Miller | Terry |
| Caughlan | Fry | Hoey | Monczynski | Trombly |
| Collin | Geatons | Hollmann | Myers | Walker |
| Cosad | Gerhardt | Jackson | Neupert | Warren |
| Cuvillier | Gerken | Jameson | O'Connor | Washburn |
| Dawson | Gillen | Kennedy | O'Neill J J | Weil |
| Day | Goldberg | LaReau | O'Neil M A | Wende |
| Donnelly | Goldstein | Levy A J | Parker A | Wheeler |
| Donovan | Gould | Levy J | Patrie | Zorn |

Those who voted in the negative were:

| | | | | |
|----------|-------------|-----------|--------------|------------|
| Adler | Constantine | Jons | Parker J S | Talmage |
| Ahern | Cross | Keys | Phillips C W | Thorn |
| Allen | Ebbetts | Kopp | Phillips J S | Turley |
| Baumes | Filley | Lansing | Pierce | Ward |
| Brereton | Goodwin | Macdonald | Shannon | Waters F A |
| Brooks | Gray | MacGregor | Shepardson | Waters R B |

| | | | | |
|---------|---------|---------|-----------|---------|
| Bryant | Haines | Merritt | Shlivek | Winters |
| Butler | Hammond | Mork | Smith T K | Yale |
| Chanler | Hart | Murray | Stivers | Yeomans |
| Cheney | Hoff | Nolan | Sweet | Young |
| Coffey | Hoyt | Pappert | | |

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Foley offered for the consideration of the House a resolution, in the words following:

Resolved, That George R. Van Namee of Jefferson county be and he hereby is elected Clerk of this House in place of Luke McHenry, deceased.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 111

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-----------|
| Adler | Donovan | Hammond | Miller | Shortt |
| Ahern | Drummond | Hearn | Monczynski | Smith A E |
| Baumes | Ebbetts | Herrick J J | Mork | Smith T K |
| Beach | Egan | Herrick W R | Murray | Spielberg |
| Blauvelt | Evans | Heyman | Myers | Stivers |
| Boylan | Farrell | Hoey | Neupert | Sweet |
| Brace | Fitzpatrick | Hoff | Nolan | Talmage |
| Brennan | Foley | Hollmann | O'Connor | Terry |
| Bridenbecker | Friedman | Hoyt | O'Neill J J | Thorn |
| Brooks | Fry | Jackson | O'Neil M A | Turley |
| Bryant | Geatons | Jameson | Pappert | Walker |
| Bush | Gerhardt | Keys | Parker A | Ward |
| Butler | Gerken | Kopp | Parker J S | Warren |
| Carew | Gillen | LaReau | Patrie | Washburn |
| Caughlan | Goldberg | Levy J | Phillips J S | Weil |
| Coffey | Goodwin | Manley | Pierce | Wende |
| Collin | Gould | Martin | Saunders | Wheeler |
| Constantine | Graubard | McCue | Schifferdecker | Winters |
| Cosad | Gregg | McDaniels | Shannon | Yale |
| Cross | Gurnett | McElligott | Sheide | Yeomans |
| Dawson | Hackett | McGrath | Shepardson | Young |
| Day | Haines | Merritt | Shlivek | Zorn |
| Donnelly | | | | |

Mr. Speaker administered the oath of office to George R. Van Namee, Clerk elect.

Mr. Goldberg offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That there be printed five

hundred additional copies of Assembly bill (Int. No. 1565, Senate Printed No. 2098) for the use of the Assembly.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 111

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-----------|
| Adler | Donovan | Hammond | Miller | Shortt |
| Ahern | Drummond | Hearn | Monczynski | Smith A E |
| Baumes | Ebbetts | Herrick J J | Mork | Smith T K |
| Beach | Egan | Herrick W R | Murray | Spielberg |
| Blauvelt | Evans | Heyman | Myers | Stivers |
| Boylan | Farrell | Hoey | Neupert | Sweet |
| Brace | Fitzpatrick | Hoff | Nolan | Talmage |
| Brennan | Foley | Hollmann | O'Connor | Terry |
| Bridenbecker | Friedman | Hoyt | O'Neill J J | Thorn |
| Brooks | Fry | Jackson | O'Neil M A | Turley |
| Bryant | Geatons | Jameson | Pappert | Walker |
| Bush | Gerhardt | Keys | Parker A | Ward |
| Butler | Gerken | Kopp | Parker J S | Warren |
| Carew | Gillen | LaReau | Patrie | Washburn |
| Caughlan | Goldberg | Levy J | Phillips J S | Weil |
| Coffey | Goodwin | Mailey | Pierce | Wende |
| Collin | Gould | Martin | Saunders | Wheeler |
| Constantine | Graubard | McCue | Schifferdecker | Winters |
| Cosad | Gregg | McDaniels | Shannon | Yale |
| Cross | Gurnett | McElligott | Sheide | Yeomans |
| Dawson | Hackett | McGrath | Shepardson | Young |
| Day | Haines | Merritt | Shlivek | Zorn |
| Donnelly | | | | |

Ordered, That the Clerk deliver said resolutions to the Senate and request their concurrence therein.

Mr. Hackett offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That seven thousand copies of the resolution and proceedings expressing the sense of the Assembly relative to the service in the Assembly of Honorable James Oliver, and a suitable memorial be printed under the superintendence of the chairman of the Assembly committee in charge of such resolutions and memorial and distributed as follows: 50 copies to each Senator; 30 copies to each member of Assembly; 500 copies to the State officers; 200 copies to the Clerks of the Senate and Assembly and their deputies, and the balance to the family of the deceased.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 111

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-----------|
| Adler | Donovan | Hammond | Miller | Shortt |
| Ahern | Drummond | Hearn | Monczynski | Smith A E |
| Baumes | Ebbetts | Herrick J J | Mork | Smith T K |
| Beach | Egan | Herrick W R | Murray | Spielberg |
| Blauvelt | Evans | Heyman | Myers | Stivers |
| Boylan | Farrell | Hoey | Neupert | Sweet |
| Brace | Fitzpatrick | Hoff | Nolan | Talmage |
| Brennan | Foley | Hollmann | O'Connor | Terry |
| Bridenbecker | Friedman | Hoyt | O'Neill J J | Thorn |
| Brooks | Fry | Jackson | O'Neil M A | Turley |
| Bryant | Geatons | Jameson | Pappert | Walker |
| Bush | Gerhardt | Keys | Parker A | Ward |
| Butler | Gerken | Kopp | Parker J S | Warren |
| Carew | Gillen | LaReau | Patrie | Washburn |
| Caughlan | Goldberg | Levy J | Phillips J S | Weil |
| Coffey | Goodwin | Manley | Pierce | Wende |
| Collin | Gould | Martin | Saunders | Wheeler |
| Constantine | Graubard | McCue | Schifferdecker | Winters |
| Cosad | Gregg | McDaniels | Shannon | Yale |
| Cross | Gurnett | McElligott | Sheide | Yeomans |
| Dawson | Hackett | McGrath | Shepardson | Young |
| Day | Haines | Merritt | Shlivek | Zorn |
| Donnelly | | | | |

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Gould offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That seven thousand copies of the resolution and proceedings expressing the sense of the Assembly relative to the death of the Honorable Luke McHenry, Clerk of the Assembly, and a suitable memorial, be printed under the superintendence of the chairman of the Assembly committee in charge of such resolutions and memorial and distributed as follows: 50 copies to each Senator; 30 copies to each member of Assembly; 500 copies to the State officers; 200 copies to the Clerks of the Senate and Assembly and their deputies, and the balance to the executors of the will of the deceased.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 111

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-----------|
| Adler | Donovan | Hearn | Miller | Shortt |
| Ahern | Drummond | Herrick J J | Monczynski | Smith A E |
| Baumes | Ebbetts | Herrick W R | Mork | Smith T K |
| Beach | Egan | Heyman | Murray | Spielberg |
| Blauvelt | Evans | Hoey | Myers | Stivers |
| Boylan | Farrell | Hoff | Neupert | Sweet |
| Brace | Fitzpatrick | Hollmann | Nolan | Talmage |
| Brennan | Foley | Hoyt | O'Connor | Terry |
| Bridenbecker | Friedman | Jackson | O'Neill J J | Thorn |
| Brooks | Fry | Jameson | O'Neil M A | Turley |
| Bryant | Geatons | Keys | Pappert | Walker |
| Bush | Gerhardt | Kopp | Parker A | Ward |
| Butler | Gerken | LaReau | Parker J S | Warren |
| Carew | Gillen | Levy J | Patrie | Washburn |
| Caughlan | Goldberg | Lincoln | Phillips J S | Weil |
| Coffey | Gould | Manley | Pierce | Wende |
| Collin | Graubard | Martin | Saunders | Wheeler |
| Constantine | Gregg | McCue | Schifferdecker | Winters |
| Cosad | Gurnett | McDaniels | Shannon | Yale |
| Cross | Hackett | McElligott | Sheide | Yeomans |
| Dawson | Haines | McGrath | Shepardson | Young |
| Day | Hammond | Merritt | Shlivek | Zorn |
| Donnelly | | | | |

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *September 29, 1911.*

Whereas, It appears by a concurrent resolution passed July 21, 1911, authorizing an investigation into all departments and offices of the county and city of Albany, New York, that a sum not exceeding twenty-five thousand dollars (\$25,000) be paid for the actual and necessary expenses of the committee in carrying out the provisions of said resolution, from the moneys appropriated for the contingent expenses of the Legislature, by the Treasurer, on the warrant of the Comptroller and the certificate of the chairman of the committee;

Resolved (if the Assembly concur), That an additional sum of twenty-five thousand dollars (\$25,000) for the actual and necessary expenses of the committee in carrying out the provisions of said resolution of July 21, 1911, be and is hereby authorized to be paid from the moneys appropriated for the contingent expenses of the Legislature, by the Treasurer, on the warrant of the Comptroller and the certificate of the chairman of the committee.

By order of the Senate,

PATRICK E. McCABE.

Clerk.

Mr. Speaker put the question whether the House would agree to said resolution and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 112

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donovan | Hearn | Monezynski | Smith A E |
| Ahe n | Drummond | Herrick J J | Mork | Smith T K |
| Baumes | Ebbetts | Herrick W R | Murray | Spielberg |
| Beach | Egan | Heyman | Myers | Stivers |
| Blauvelt | Evans | Hoey | Neupert | Sweet |
| Boyle n | Farrell | Hoff | Nolan | Talmage |
| Brace | Fitzpatrick | Hollmann | O'Connor | Terry |
| Brennan | Foley | Hoyt | O'Neill J J | Thorn |
| Bridenbecker | Friedman | Jackson | O'Neil M A | Turley |
| Brooks | Fry | Jameson | Pappert | Walker |
| Bryant | Geatons | Keys | Parker A | Ward |
| Bush | Gerhardt | Kopp | Parker J S | Warren |
| Butler | Gerken | LaReau | Patrie | Washburn |
| Carew | Gillen | Levy J | Phillips J S | Waters F A |
| Caughlan | Goldberg | Manley | Pierce | Weil |
| Coffey | Goodwin | Martin | Saunders | Wende |
| Ccollin | Gould | McCue | Schifferdecker | Wheeler |
| Constantine | Graubard | McDaniels | Shannon | Winters |
| Cosad | Gregg | McElligott | Sheide | Yale |
| Cross | Gurnett | McGrath | Shepardson | Yeomans |
| Dawson | Hackett | Merritt | Shlivek | Young |
| Day | Haines | Miller | Shortt | Zorn |
| Donnelly | Hammond | | | |

Ordered, That the Clerk return said resolution of the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker in the chair.

Mr. O'Connor offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of the Senate bill (No. 2326, Rec. No. 651), entitled "An Act to amend the Election Law, in relation to nominations and primaries."

Mr. Speaker declared the resolution not in order, the order of reports of committees having been passed.

Mr. O'Connor moved to return to the order of reports of committees for the purpose of reviewing said resolution.

Mr. A. J. Levy raised the point of order that the committee

on the judiciary being at the moment considering said bill it would not be in order to move the discharge of the committee and that you cannot discharge a committee when it is endeavoring to do its labor.

Mr. Speaker: The Chair holds that the motion of Mr. O'Connor is in order. The Chair is unwilling to rule by technicality that this House should not have an opportunity to pass upon the so-called direct nominations bill.

Mr. A. E. Smith: I now make this parliamentary inquiry of the Chair. Under the rules how many votes are required to return to the order of reports of committees?

Mr. Speaker: Seventy-six.

Mr. A. E. Smith: The rule says immediately thereafter except on days and at times set apart for the consideration of special orders, the order of business which shall not be departed from except by a vote of two-thirds of the members present to be determined by the roll call, and I asked the Speaker as the man who above all other men should stand for the rules of the House, as they are printed in plain language to so rule.

Mr. Speaker: The Chair desires to be fair towards both parties; he has been disposed to stretch a point in favor of bringing before the House this question of direct nominations. The Chair believes that the question can be brought before the House as well along the line of Mr. Smith's interpretation of the rule as along Mr. O'Connor's. And the Chair is constrained by a careful reading of the Rule 5 to hold that the point of order of Mr. Smith is well taken, in that it requires two-thirds. Now the Chair suggests to Mr. O'Connor that this matter may be tested by an appeal from the decision of the Chair. Mr. O'Connor appealed from the decision of the chair. Debate was had thereon.

Mr. Speaker put the question "Shall the decision of the Chair stand as the decision of the House?" and it was determined in the affirmative.

AYES 91

NOES 34

Those who voted in the affirmative were:

| | | | | |
|--------|-------------|-------------|------------|-----------|
| Adler | Farrell | Hearn | McElligott | Shlivek |
| Ahern | Fay | Herrick J J | McGrath | Shortt |
| Allen | Filley | Herrick W R | McKeon | Smith A E |
| Boylan | Fitzpatrick | Heyman | Merritt | Smith T K |

| | | | | |
|-------------|----------|-----------|----------------|------------|
| Brennan | Foley | Higgins | Mork | Stivers |
| Brereton | Geatons | Hinman | Neupert | Sweet |
| Brooks | Gerhardt | Hoey | Nolan | Talmage |
| Carew | Gerken | Hoff | O'Neill J J | Turley |
| Caughlan | Gillen | Jackson | O'Neil M A | Walker |
| Chanler | Goldberg | Jameson | Pappert | Ward |
| Cheney | Goodwin | Keys | Parker J S | Waring |
| Coffey | Gould | Lansing | Patrie | Washburn |
| Constantine | Graubard | Levy A J | Phillips C W | Waters R B |
| Cuvillier | Gregg | Levy J | Phillips J S | Weil |
| Dawson | Gurnett | Macdonald | Pierce | Winters |
| Donnelly | Hackett | Manley | Schifferdecker | Yale |
| Donovan | Haines | Martin | Shannon | Young |
| Ebbetts | Hammond | McCue | Sheide | Zorn |
| Egan | | | | |

Those who voted in the negative were:

| | | | | |
|--------------|----------|-----------|------------|------------|
| Beach | Collin | Fry | Miller | Terry |
| Blauvelt | Cosad | Goldstein | Myers | Trombly |
| Brace | Cross | Hart | O'Connor | Warren |
| Bridenbecker | Day | Hollmann | Parker A | Waters F A |
| Bryant | Drummond | Hoyt | Saunders | Wheeler |
| Bush | Evans | Huber | Seeley | Yeomans |
| Butler | Friedman | LaReau | Shepardson | |

Mr. O'Connor moved that the House return to the order of business of reports of committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 83

NOES 47

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Adler | Constantine | Hart | Murray | Smith T K |
| Ahern | Cosad | Herrick W R | Myers | Stivers |
| Allen | Cross | Higgins | O'Connor | Sweet |
| Baumes | Day | Hinman | Pappert | Talmage |
| Beach | Drummond | Hoff | Parker A | Terry |
| Blauvelt | Ebbetts | Hollmann | Patrie | Thorn |
| Brace | Evans | Hoyt | Phillips C W | Trombly |
| Brereton | Filley | Huber | Phillips J S | Ward |
| Bridenbecker | Friedman | Kennedy | Pierce | Warren |
| Brooks | Fry | Keys | Saunders | Washburn |
| Bryant | Geatons | Lansing | Seeley | Waters F A |
| Bush | Goldstein | LaReau | Shannon | Wende |
| Butler | Goodwin | MacGregor | Sheide | Wheeler |
| Chanler | Gould | Martin | Shepardson | Winters |
| Cheney | Gurnett | McDaniels | Shlivek | Yeomans |
| Coffey | Haines | McGrath | Shortt | Young |
| Collin | Hammond | Miller | | |

Those who voted in the negative were:

| | | | | |
|---------|-------------|---------|------------|----------------|
| Boylan | Fitzpatrick | Heyman | McElligott | Schifferdecker |
| Brennan | Foley | Hoey | McKeon | Smith A E |
| Carew | Gerhardt | Jackson | Merritt | Turley |

| | | | | |
|-----------|-------------|-----------|-------------|------------|
| Caughlan | Gerken | Jameson | Mork | Walker |
| Cuvillier | Gillen | Levy A J | Neupert | Waring |
| Dawson | Goldberg | Levy J | Nolan | Waters R B |
| Donnelly | Gregg | Macdonald | O'Neill J J | Weil |
| Egan | Hackett | Manley | O'Neil M A | Yale |
| Farrell | Hearn | McCue | Parker J S | Zorn |
| Fay | Herrick J J | | | |

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That when the Assembly is ready to adjourn sine die a committee of two be appointed by the Speaker to inform the Senate that the Assembly has completed its labors and is ready to adjourn.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That when the Assembly is ready to adjourn sine die that a committee of two be appointed by the Speaker to wait upon the Governor and inform him that the Assembly has completed its labors and is ready to adjourn.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That the Sergeant-at-Arms be and is hereby directed to take charge of and perform all necessary duties required by any committee of the Assembly or sub-committee thereof that shall conduct any investigation or examination authorized by the Assembly to be performed by such committee during recess.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

| | | | | |
|----------|----------|-------------|------------|-----------|
| Adler | Day | Hammond | Merritt | Smith A E |
| Ahern | Donnelly | Hearn | Miller | Smith T K |
| Baumes | Donovan | Herrick J J | Monczynski | Spielberg |
| Beach | Drummond | Herrick W R | Mork | Stivers |
| Blauvelt | Ebbetts | Heyman | Murray | Sweet |
| Boylan | Egan | Higgins | Myers | Talmage |
| Brace | Evans | Hinman | Neupert | Terry |

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Brennan | Farrell | Hoey | Nolan | Thorn |
| Brereton | Fitzpatrick | Hoff | O'Connor | Trombly |
| Bridenbecker | Foley | Hollmann | O'Neill J J | Turley |
| Brooks | Friedman | Hoyt | O'Neil M A | Walker |
| Bryant | Fry | Jackson | Parker A | Ward |
| Bush | Geatons | Jameson | Parker J S | Warren |
| Butler | Gerhardt | Keys | Patrie | Washburn |
| Carew | Gerken | Kopp | Phillips C W | Waters F A |
| Caughlan | Gillen | LaReau | Phillips J S | Waters R B |
| Chanler | Goldberg | Lent | Pierce | Weil |
| Cheney | Goodwin | Levy A J | Saunders | Wende |
| Coffey | Gould | Levy J | Schifferdecker | Wheeler |
| Collin | Graubard | Manley | Secley | Winters |
| Constantine | Gray | Martin | Shannon | Yale |
| Cosad | Gregg | McCue | Sheide | Yeomans |
| Cross | Gurnett | McDaniels | Shepardson | Young |
| Cuvillier | Hackett | McElligott | Shlivek | Zorn |
| Dawson | Haines | McGrath | Shortt | |

Mr. Walker offered for the consideration of the House a resolution, in the words following:

Resolved, That the postmaster of the Assembly be and he is hereby directed to remain for a period of fifteen days after the adjournment of the Legislature to close up the affairs of his office and forward mail matter.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hammond | Merritt | Smith A E |
| Aheir | Donnelly | Hearn | Miller | Smith T K |
| Baumes | Donovan | Herrick J J | Monczynski | Spielberg |
| Beach | Drummond | Herrick W R | Mork | Stivers |
| Blauvelt | Ebbetts | Heyman | Murray | Sweet |
| Boylan | Egan | Higgins | Myers | Talmage |
| Brace | Evans | Hinman | Neupert | Terry |
| Brennan | Farrell | Hoey | Nolan | Thorn |
| Brereton | Fitzpatrick | Hoff | O'Connor | Trombly |
| Bridenbecker | Foley | Hollman | O'Neill J J | Turley |
| Brooks | Friedman | Hoyt | O'Neil M A | Walker |
| Bryant | Fry | Jackson | Parker A | Ward |
| Bush | Geatons | Jameson | Parker J S | Warren |
| Butler | Gerhardt | Keys | Patrie | Washburn |
| Carew | Gerken | Kopp | Phillips C W | Waters F A |
| Caughlan | Gillen | LaReau | Phillips J S | Waters R B |
| Chanler | Goldberg | Lent | Pierce | Weil |
| Cheney | Goodwin | Levy A J | Saunders | Wende |
| Coffey | Gould | Levy J | Schifferdecker | Wheeler |
| Collin | Graubard | Manley | Secley | Winters |
| Constantine | Gray | Martin | Shannon | Yale |

| | | | | |
|-----------|---------|------------|------------|---------|
| Cosad | Gregg | McCue | Sheide | Yeomans |
| Cro ss | Gurnett | McDaniels | Shepardson | Young |
| Cuvillier | Hackett | McElligott | Shlivek | Zorn |
| Dawson | Haines | McGrath | Shortt | |

Mr. Bush offered for the consideration of the House a resolution, in the words following:

Resolved, That the librarian and assistant librarian of the Assembly be directed to remain during the recess of the Legislature to attend to the keeping open of the Assembly library and in performing such work as may be necessary in preserving, arranging, rearranging and indexing the books, documents, papers and records thereof and in affording facilities for proper access thereto during said period.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hammond | Merritt | Smith A E |
| Ahern | Donnelly | Hearn | Miller | Smith T K |
| Baumes | Donovan | Herrick J J | Monezynski | Spielberg |
| Beach | Drummond | Herrick W R | Mork | Stivers |
| Blauvelt | Ebbetts | Heyman | Murray | Sweet |
| Boylan | Egan | Higgins | Myers | Talmage |
| Brace | Evans | Hinman | Neupert | Terry |
| Brennan | Farrell | Hoey | Nolan | Thorn |
| Brereton | Fitzpatrick | Hoff | O'Connor | Trombly |
| Bridenbecker | Foley | Hollmann | O'Neill J J | Turley |
| Brooks | Friedman | Hoyt | O'Neil M A | Walker |
| Bryant | Fry | Jackson | Parker A | Ward |
| Bush | Geatons | Jameson | Parker J S | Warren |
| Butler | Gerhardt | Keys | Patrie | Weshburn |
| Carew | Gerken | Kopp | Phillips C W | Waters F A |
| Caughlan | Gillen | LaReau | Phillips J S | Waters R B |
| Chanler | Goldberg | Lent | Pierce | Weil |
| Cheney | Goodwin | Levy A J | Saunders | Wende |
| Coffey | Gould | Levy J | Schifferdecker | Wheeler |
| Collin | Graubard | Manley | Seeley | Winters |
| Constantine | Gray | Martin | Shannon | Yale |
| Cosad | Gregg | McCue | Sheide | Yeomans |
| Cross | Gurnett | McDaniels | Shepardson | Young |
| Cuvillier | Hackett | McElligott | Shlivek | Zorn |
| Dawson | Haines | McGrath | Shortt | |

Mr. McKeon: Mr. Speaker, it is with deep regret that I announce the death of Thos. R. Farrell, many times a member of this house, representing the district I now have the honor to represent.

Mr. McKeon offered for the consideration of the House a resolution in the words following:

Resolved, That when the House adjourns to-day it will adjourn out of respect to the memory of Thomas R. Farrell, former member of this House.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *September 30, 1911.*

Resolved (if the Assembly concur), That the Clerks of the Senate and Assembly be and hereby are authorized and directed to appoint such stenographers and employees during the recess as they may deem necessary to complete the making of the type-written copy of the original manuscript copy of the journals, assist in proofreading and making comparison of the printed columns of the journal under the direction of the journal clerks, as required by chapter thirty-seven of the Laws of nineteen hundred and nine, and in receiving and forwarding documents and reports and to assist in the performance of the other clerical and detail work connected with the duties of the Clerk's offices for such periods of time as may be determined, by them, the compensation to be paid out of the appropriation for salaries and compensation of officers and employees of the Legislature upon the certificates of the Clerks of the Senate and Assembly, respectively.

By order of the Senate,

PATRICK E. McCABE,

Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|----------|-------------|-------------|-----------|
| Adler | Day | Hammond | Merritt | Smith A E |
| Ahern | Donnelly | Hearn | Miller | Smith T K |
| Baumes | Donovan | Herrick J J | Moneczynski | Spielberg |
| Beach | Drummond | Herrick W R | Mork | Stivers |
| Blauvelt | Ebbetts | Heyman | Murray | Sweet |
| Boylan | Egan | Higgins | Myers | Talmage |
| Brace | Evans | Hinman | Neupert | Terry |

| | | | | |
|--------------|-------------|------------|----------------|------------|
| Brennan | Farrell | Hoey | Nolan | Thorn |
| Brereton | Fitzpatrick | Hoff | O'Connor | Trombly |
| Bridenbecker | Foley | Hollmann | O'Neill J J | Turley |
| Brooks | Friedman | Hoyt | O'Neil M A | Walker |
| Bryant | Fry | Jackson | Parker A | Ward |
| Bush | Geatons | Jameson | Parker J S | Warren |
| Butler | Gerhardt | Keys | Patrie | Washburn |
| Carew | Gerken | Kopp | Phillips C W | Waters F A |
| Caughlan | Gillen | LaReau | Phillips J S | Waters R B |
| Chanler | Goldberg | Lent | Pierce | Weil |
| Cheney | Goodwin | Levy A J | Saunders | Wende |
| Coffey | Gould | Levy J | Schifferdecker | Wheeler |
| Collin | Graubard | Manley | Seeley | Winters |
| Constantine | Gray | Martin | Shannon | Yale |
| Cosad | Gregg | McCue | Sheide | Yeomans |
| Cross | Gurnett | McDaniels | Shepardson | Young |
| Cuvillier | Hackett | McElligott | Shlivek | Zorn |
| Dawson | Haines | McGrath | Shortt | |

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution in relation to printing 14,000 copies of the proceedings of the Hill Memorial services, with a message that they have reconsidered the vote by which said resolution was passed, and have amended the same to read as follows:

Resolved (if the Senate concur), That fourteen thousand copies of the proceedings of the Legislature in relation to the memorial services for the late United States Senator David Bennett Hill be printed under the superintendence of the chairman of the joint committee in charge of such services, and distributed as follows: 50 copies to each Senator; 30 copies to each member of Assembly; 500 copies to the State officers; 200 copies to the Clerks of the Senate and Assembly and their deputies; and the balance to the executors of the will of the deceased.

Mr. Bush moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said Senate amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 06

Those who voted in the affirmative were:

| | | | | |
|-------------|----------|-------------|------------|-----------|
| Adler | Day | Hammond | Merritt | Smith A E |
| Ahern | Donnelly | Hearn | Miller | Smith T K |
| Baumgardner | Donovan | Herrick J J | Monczynski | Spielberg |

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Beach | Drummond | Herrick W R | Mork | Stivers |
| Blauvelt | Ebbetts | Heyman | Murray | Sweet |
| Boylan | Egan | Higgins | Myers | Talmage |
| Brace | Evans | Hinman | Neupert | Terry |
| Brennan | Farrell | Hoey | Nolan | Thorn |
| Brereton | Fitzpatrick | Hoff | O'Connor | Trombly |
| Bridenbecker | Foley | Hollmann | O'Neill J J | Turley |
| Brooks | Friedman | Hoyt | O'Neil M A | Walker |
| Bryant | Fry | Jackson | Parker A | Ward |
| Bush | Geatons | Jameson | Parker J S | Warren |
| Butler | Gerhardt | Keys | Patrie | Washburn |
| Carew | Gerken | Kopp | Phillips C W | Waters F A |
| Caughlan | Gillen | LaReau | Phillips J S | Waters R B |
| Chanler | Goldberg | Lent | Pierce | Weil |
| Cheney | Goodwin | Levy A J | Saunders | Wende |
| Coffey | Gould | Levy J | Schifferdecker | Wheeler |
| Collin | Graubard | Manley | Seeley | Winters |
| Constantine | Gray | Martin | Shannon | Yale |
| Cosad | Gregg | McCue | Sheide | Yeomans |
| Cross | Gurnett | McDaniels | Shepardson | Young |
| Cuvillier | Hackett | McElligott | Shlivek | Zorn |
| Dawson | Haines | McGrath | Shortt | |

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the concurrent resolution providing for the printing of 500 copies of Assembly bill (Int. No. 1565, Senate Reprint No. 2098), with a message that they have concurred in the passage of the same without amendment.

The Senate returned the concurrent resolution providing for the printing of 7,000 copies of the resolution and proceedings of the Assembly relative to the death of Hon. James Oliver, with a message that they have concurred in the passage of the same without amendment.

The Senate returned the concurrent resolution providing for the printing of 7,000 copies of the resolution and proceedings of the Assembly relative to the death of Luke McHenry, Clerk of the Assembly, with a message that they have concurred in the passage of the same without amendment.

The Senate returned the concurrent resolution petitioning Congress to establish an army post in the city of Albany, with a message that they have concurred in the passage of the same without amendment.

The Clerk announced the appointment of Frank R. Pennock of Madison county, assistant clerk of the Assembly.

On motion of Mr. A. E. Smith, the House took a recess for one hour.

NINE O'CLOCK AND THIRTY MINUTES.

The House again convened.

Mr. A. J. Levy, from the committee on the judiciary, asked unanimous consent for the submission of a report from said committee.

Objection was made.

Mr. A. E. Smith moved that the House return to the order of reports of committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 79

NOES 50

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Blauvelt | Drummond | Gregg | Levy J | Saunders |
| Boylan | Egan | Hackett | Manley | Schifferdecker |
| Brace | Evans | Hammond | Martin | Seeley |
| Brennan | Farrell | Hearn | McCue | Shepardson |
| Bridenbecker | Fay | Herrick J J | McDaniels | Smith A E |
| Bush | Fitzpatrick | Herrick W R | McElligott | Smith T K |
| Carew | Foley | Heyman | McGrath | Terry |
| Caughlan | Friedman | Hoey | McKeon | Trombly |
| Chanler | Fry | Hollmann | Miller | Turley |
| Collin | Geatons | Hoyt | Mork | Walker |
| Cosad | Gerhardt | Huber | Myers | Washburn |
| Cuvillier | Gerken | Jackson | Neupert | Weil |
| Dawson | Gillen | Jameson | O'Neill J J | Wende |
| Day | Goldberg | Kennedy | O'Neil M A | Wheeler |
| Donnelly | Goldstein | LaReau | Parker A | Zorn |
| Donovan | Gould | Levy A J | Patrie | |

Those who voted in the negative were:

| | | | | |
|----------|-------------|-----------|--------------|------------|
| Adler | Coffey | Jones | Parker J S | Thorn |
| Ahern | Constantine | Keys | Phillips C W | Ward |
| Allen | Cross | Lansing | Phillips J S | Waring |
| Baumes | Ebbetts | Macdonald | Pierce | Warren |
| Beach | Goodwin | MacGregor | Shannon | Waters F A |
| Brereton | Haines | Merritt | Shlivek | Waters R B |
| Brooks | Hart | Murray | Shortt | Winters |
| Bryant | Higgins | Nolan | Stivers | Yale |
| Butler | Hinman | O'Connor | Sweet | Yeomans |
| Cheney | Hoff | Pappert | Talmage | Young |

Mr. A. E. Smith moved that the reference of Senate bill (No. 2326, Rec. No. 651), entitled "An act to amend the Election Law in relation to nominations and primaries," be changed from the committee on the judiciary to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

AYES 80

NOES 45

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Blauvelt | Drummond | Gregg | Levy A J | Patrie |
| Boylan | Egan | Gurnett | Levy J | Saunders |
| Brace | Evans | Hackett | Manley | Schifferdecker |
| Brennan | Farrell | Hammond | Martin | Seeley |
| Bridenbecker | Fay | Hearn | McCue | Shepardson |
| Bush | Fitzpatrick | Herrick J J | McDaniels | Smith A E |
| Carew | Foley | Herrick W R | McElligott | Smith T K |
| Caughlan | Friedman | Heyman | McGrath | Terry |
| Chanler | Fry | Hoey | McKeon | Trombly |
| Collin | Geatons | Hollmann | Miller | Turley |
| Cosad | Gerhardt | Hoyt | Mork | Walker |
| Cuvillier | Gerken | Huber | Myers | Washburn |
| Dawson | Gillen | Jackson | Neupert | Weil |
| Day | Goldberg | Jameson | O'Neill J J | Wende |
| Donnelly | Goldstein | Kennedy | O'Neil M A | Wheeler |
| Donovan | Gould | LaReau | Parker A | Zorn |

Those who voted in the negative were:

| | | | | |
|----------|-------------|--------------|--------------|--------------|
| Adler | Coffey | Lansing | Phillips J S | Ward |
| Ahern | Constantine | Macdonald | Pierce | Waring |
| Allen | Cross | MacGregor | Shannon | Waters F A • |
| Baumes | Ebbetts | Merritt | Shlivek | Waters R B |
| Beach | Hart | Murray | Shortt | Winters |
| Brereton | Higgins | Nolan | Stivers | Yale |
| Brooks | Hoff | Pappert | Sweet | Yeomans |
| Butler | Jones | Parker J S | Talmage | Young |
| Cheney | Keys | Phillips C W | Thorn | |

Mr. Speaker announced that a meeting of the committee on rules would be held immediately in the Speaker's room.

Mr. Caughlan in the chair.

Mr. Blauvelt gives notice that he requests that Senate bill introduced by Mr. Ferris (No. 2326, Rec. No. 651), entitled "An act to amend the Election Law, in relation to nominations and primaries," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Foley gives notice that he requests that the Senate bill introduced by Mr. Black (No. 1964, Rec. No. 550), entitled "An act to amend the Judiciary Law, in relation to the appointment and compensation of official referees by the Appellate Division of the Supreme Court in the first and second departments," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Foley gives notice that he requests that the Senate bill introduced by Mr. Ramsperger (No. 1296, Rec. No. 290), entitled "An act to amend the General City Law, in relation to the removal of, and the trial of charges against, police officers of the various cities of the State," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. McClelland (No. 2322, Rec. No. 647), entitled "An act to amend the Election Law, generally," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Speaker in the chair.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Ferris (No. 2326, Rec. No. 651), entitled "An act to amend the Election Law, in relation to nominations and primaries," reported in favor of the passage of the same with the following amendments:

Strike out all after the enacting clause and insert the following:

(See Appendix No. 33½.)

and that the same be made a special order on second and third reading immediately, which report was agreed to, and said bill as amended ordered made a special order on second and third reading immediately.

Mr. Speaker, from the committee on rules to which was referred Senate bill introduced by Mr. Ramsperger (No. 1296, Rec. No. 290), entitled "An act to amend the General City Law, in relation to the removal of, and the trial of charges against, police officers of the various cities of the State."

Also, Senate bill introduced by Mr. Black (No. 1964, Rec. No. 550), entitled "An act to amend the Judiciary Law, in relation to the appointment and compensation of official referees by the Appellate Division of the Supreme Court in the first and second department."

Also, Senate bill introduced by Mr. McClelland (No. 2322, Rec. No. 647), entitled "An act to amend the Election Law, generally," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker announced the special order, being the Senate bill (No. 2326, Assembly Reprint No. —, Rec. No. 651), entitled "An act to amend the Election Law, in relation to nominations and primaries."

Said bill having been announced, Mr. C. W. Phillips moved to amend by substituting therefor Senate bill No. 2326, Rec. No. 651, same title and subject.

Mr. Speaker declared said motion not in order.

Mr. Murray moved to amend by striking out all after the enacting clause and inserting the following substitute bill:

(See Appendix No. 34.)

Debate was had thereon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 50

NOES 76

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-----------|------------|------------|
| Ahern | Coffey | Higgins | Pappert | Talmage |
| Allen | Constantine | Hinman | Parker A | Thorn |
| Baumes | Cross | Huber | Pierce | Ward |
| Beach | Ebbetts | Jones | Shannon | Waring |
| Brereton | Friedman | Keys | Shepardson | Warren |
| Bridenbecker | Fry | Lansing | Shlivek | Waters F A |
| Brooks | Goodwin | LaReau | Shortt | Wheeler |
| Bryant | Haines | MacGregor | Smith T K | Winters |
| Butler | Hammond | Murray | Stivers | Yeomans |
| Cheney | Hart | O'Connor | Sweet | Young |

Those who voted in the negative were:

| | | | | |
|----------|---------|-------------|------------|----------------|
| Adler | Egan | Hackett | Martin | Phillips C W |
| Blauvelt | Evans | Hearn | McCue | Phillips J S |
| Boylan | Farrell | Herrick J J | McDaniels | Saunders |
| Brennan | Fay | Herrick W R | McElligott | Schifferdecker |

| | | | | |
|-----------|-------------|-----------|-------------|------------|
| Bush | Fitzpatrick | Heyman | McGrath | Seeley |
| Carew | Foley | Hoey | McKeon | Sheide |
| Caughlan | Geatons | Hollmann | Merritt | Smith A E |
| Chanler | Gerhardt | Hoyt | Miller | Turley |
| Collin | Gerken | Jackson | Mork | Walker |
| Cosad | Gillen | Jameson | Myers | Washburn |
| Cuvillier | Goldberg | Kennedy | Neupert | Waters R B |
| Dawson | Goldstein | Levy A J | Nolan | Weil |
| Day | Gould | Levy J | O'Neill J J | Wende |
| Donnelly | Gregg | Macdonald | O'Neil M A | Yale |
| Donovan | Gurnett | Manley | Patrie | Zorn |
| Drummond | | | | |

Debate thereon was continued.

On motion of Mr. A. E. Smith, said bill was then read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it; therefore, in accordance with the provisions of Section fifteen of article three of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill (Int. No. 1209, Printed No. 2326, Assembly Reprint No. —, Rec. No. 651), entitled "An act to amend the Election Law in relation to nominations and primaries."

Given under my hand and the Privy Seal of the State this
[L. s.] thirtieth day of September in the year of our Lord
one thousand nine hundred and eleven.

JOHN A. DIX.

By the Governor:

JOHN A. MASON,

Secretary to the Governor.

Said bill was then read the third time.

Mr Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 111

NOES 19

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Dawson | Gurnett | Martin | Shepardson |
| Ahern | Day | Hackett | McCue | Shortt |
| Allen | Donnelly | Haines | McDaniels | Smith A E |
| Baumes | Donovan | Hart | McElligott | Smith T K |
| Beach | Drummond | Hearn | McGrath | Stivers |
| Blauvelt | Ebbetts | Herrick J J | McKeon | Sweet |
| Boylan | Egan | Herrick W R | Miller | Talmage |
| Brace | Evans | Heyman | Mork | Terry |
| Brennan | Farrell | Hoey | Myers | Thorn |
| Briereton | Fay | Hollmann | Neupert | Trombly |
| Bridenbecker | Fitzpatrick | Hoyt | O'Connor | Turley |
| Bryant | Foley | Huber | O'Neill J J | Walker |
| Bush | Friedman | Jackson | O'Neil M A | Warren |
| Carew | Geatons | Jameson | Parker A | Washburn |
| Caughlan | Gerhardt | Kennedy | Parker J S | Waters F A |
| Chanler | Gerken | Keys | Patrie | Weil |
| Cheney | Gillen | Lansing | Phillips J S | Wende |
| Coffey | Goldberg | LaReau | Saunders | Wheeler |
| Collin | Goldstein | Levy A J | Schifferdecker | Winters |
| Constantine | Goodwin | Levy J | Seeley | Yeomans |
| Cosad | Gould | MacGregor | Shannon | Young |
| Cross | Gregg | Manley | Sheide | Zorn |
| Cuvillier | | | | |

Those who voted in the negative were:

| | | | | |
|---------|---------|-----------|--------------|------------|
| Brooks | Higgins | Macdonald | Phillips C W | Waring |
| Butler | Hinman | Merritt | Pierce | Waters R B |
| Fry | Hoff | Murray | Shlievk | Yale |
| Hammond | Jones | Nolan | Ward | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 1964, Int. No. 550), entitled "An act to amend the Judiciary Law, in relation to the appointment and compensation of official referees by the Appellate Division of the Supreme Court in the first and second departments."

On motion of Mr. A. J. Levy, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 5

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-----------|
| Adler | Donnelly | Hackett | McElligott | Shlivek |
| Baumes | Donovan | Haines | McGrath | Smith A E |
| Beach | Drummond | Hammond | Merritt | Smith T K |
| Blauvelt | Ebbetts | Hearn | Miller | Spielberg |
| Boylan | Egan | Herrick J J | Monczynski | Stivers |
| Brace | Evans | Herrick W R | Mork | Sweet |
| Brennan | Farrell | Heyman | Myers | Talmage |
| Bridenbecker | Fitzpatrick | Hoey | Neupert | Terry |
| Brooks | Foley | Hoff | O'Connor | Thorn |
| Bryant | Friedman | Hollmann | O'Neill J J | Turley |
| Bush | Fry | Hoyt | O'Neil M A | Walker |
| Butler | Geatons | Jackson | Parker A | Warren |
| Carew | Gerhardt | Jameson | Phillips J S | Washburn |
| Caughlan | Gerken | Keys | Patrie | Weil |
| Coffey | Gillen | Kopp | Phillips J S | Wende |
| Collin | Goldberg | LaReau | Pierce | Wheeler |
| Constantine | Goodwin | Levy J | Saunders | Winters |
| Cosad | Gould | Manley | Schifferdecker | Yale |
| Cross | Graubard | Martin | Shannon | Yeomans |
| Dawson | Gregg | McCue | Sheide | Young |
| Day | Gurnett | McDaniels | Shepardson | Zorn |

Those who voted in the negative were:

| | | | | |
|-------|--------|-------|--------|------|
| Ahern | Murray | Nolan | Shortt | Ward |
|-------|--------|-------|--------|------|

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1296, Rec. No. 944), entitled "An act to amend the General City Law, in relation to the removal of, and the trial of charges against, police officers of the various cities of the State."

On motion of Mr. Foley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed, and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donnelly | Herrick J J | Monczynski | Smith A E |
| Ahern | Donovan | Herrick W R | Mork | Smith T K |
| Baumes | Drummond | Heyman | Murray | Spielberg |
| Beach | Ebbetts | Hoey | Myers | Stivers |
| Blauvelt | Egan | Hoff | Neupert | Sweet |
| Boylan | Evans | Hollmann | Nolan | Talmage |
| Brace | Farrell | Hoyt | O'Connor | Terry |
| Brennan | Fitzpatrick | Jackson | O'Neill J J | Thorn |
| Brereton | Foley | Jameson | O'Neil M A | Trombly |
| Bridenbecker | Friedman | Keys | Parker A | Turley |
| Brooks | Fry | Kopp | Parker J S | Walker |
| Bush | Geatons | Lansing | Patrie | Ward |
| Butler | Gerhardt | LaReau | Phillips C W | Warren |
| Carew | Gerken | Levy A J | Phillips J S | Washburn |
| Caughlan | Gillen | Levy J | Pierce | Waters F A |
| Cheney | Goldberg | Manley | Saunders | Waters R B |
| Coffey | Goodwin | Martin | Schifferdecker | Weil |
| Collin | Gould | McCue | Seeley | Wende |
| Constantine | Graubard | McDaniels | Shannon | Wheeler |
| Cosad | Gregg * | McElligott | Sheide | Winters |
| Cross | Gurnett | McGrath | Shepardson | Yale |
| Cuvillier | Hackett | Merritt | Shlivek | Young |
| Dawson | Haines | Miller | Shortt | Zorn |
| Day | Hammond | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2322, Rec. No. 647), entitled "An act to amend the Election Law generally."

Said bill having been announced, Mr. Murray moved to amend as follows:

Section 2 of this act shall be amended to read by striking out the words "This act shall take effect immediately" and substituting therefor "This act shall take effect December first, nineteen hundred and eleven".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 53

NOES 76

Those who voted in the affirmative were:

| | | | | |
|-------|---------|---------|--------------|---------|
| Adler | Cross | Huber | Parker J S | Talmage |
| Ahern | Ebbetts | Kennedy | Phillips C W | Thorn |
| Allen | Filley | Keys | Phillips J S | Ward |

| | | | | |
|-------------|----------|-----------|------------|------------|
| Baumes | Friedman | Lansing | Pierce | aring |
| Biereton | Fry | Macdonald | Shannon | Waters F A |
| Brooks | Goodwin | MacGregor | Shepardson | Waters R B |
| Bryant | Haines | Merritt | Shlivek | Winters |
| Butler | Hammond | Murray | Smith T K | Yale |
| Cheney | Hart | Nolan | Stivers | Yeomans |
| Coffey | Higgins | O'Connor | Sweet | Young |
| Constantine | Hoff | Pappert | | |

Those who voted in the negative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Beach | Drummond | Gurnett | Martin | Schifferdecker |
| Blauvelt | Egan | Hackett | McCue | Seeley |
| Boylan | Evans | Hearn | McDaniels | Sheide |
| Brace | Farrell | Herrick J J | McElligott | Shortt |
| Brennan | Fay | Herrick W R | McGrath | Smith A E |
| Bridenbecker | Fitzpatrick | Heyman | McKeon | Terry |
| Carew | Foley | Hoey | Miller | Trombly |
| Caughlan | Geatons | Hollmann | Mork | Turley |
| Chanler | Gerhardt | Hoyt | Myers | Walker |
| Collin | Gerken | Jackson | Neupert | Warren |
| Cosad | Gillen | Jameson | O'Neill J J | Washburn |
| Cuvillier | Goldberg | LaReau | O'Neil M A | Weil |
| Dawson | Goldstein | Levy A J | Parker A | Wende |
| Day | Gould | Levy J | Patrie | Wheeler |
| Donnelly | Gregg | Manley | Saunders | Zorn |
| Donovan | | | | |

On motion of Mr. A. J. Levy said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interests requires it; therefore, in accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill (Int. No. 1683, Printed No. 2286), as amended, entitled "An act to amend the Election Law, generally."

Given under my hand and Privy Seal of the State at the Capitol in the city of Albany this twenty-ninth day of
[L. S.] September in the year of our Lord one thousand nine hundred and eleven.

JOHN A. DIX.

By the Governor:

JOHN A. MASON,

Secretary to the Governor.

By unanimous consent, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 77

NOES 51

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Blauvelt | • Drummond | Hackett | Martin | Schifferdecker |
| Boylan | Egan | Hearn | McCue | Seeley |
| Brace | Evans | Herrick J J | McDaniels | Sheide |
| Brennan | Farrell | Herrick W R | McElligott | Shortt |
| Bridenbecker | Fay | Heyman | McGrath | Smith A E |
| Bush | Fitzpatrick | Hoev | McKeon | Terry |
| Carew | Foley | Hollmann | Miller | Trombly |
| Caughlan | Geatons | Hoyt | Mork | Turley |
| Chanler | Gerhardt | Jackson | Myers | Walker |
| Colné | Gerken | Jameson | Neupeit | Warren |
| Cosad | Gillen | Kennedy | O'Neill J J | Washburn |
| Cuvillier | Goldberg | LaReau | O'Neil M A | Weil |
| Dawson | Goldstein | Levy A J | Parker A | Wende |
| Day | Gould | Levy J | Patrie | Wheeler |
| Donnelly | Gregg | Manley | Saunders | Zorn |
| Donovan | Gurnett | | | |

Those who voted in the negative were:

| | | | | |
|----------|----------|-----------|--------------|------------|
| Adler | Cross | Hoff | Parker J S | Talmage |
| Ahern | Ebbetts | Huber | Phillips C W | Thorn |
| Allen | Filley | Keys | Phillips J S | Ward |
| Baumes | Friedman | Lansing | Pierce | Waing |
| Beach | Fry | MacGregor | Shannon | Waters F A |
| Brereton | Haines | Merritt | Shepardson | Waters R B |
| Brooks | Hammond | Murray | Shlivek | Wilson |
| Bryant | Hart | Nolan | Smith T K | Yale |
| Butler | Higgins | O'Connor | Stivers | Yeomans |
| Cheney | Hinman | Pappert | Sweet | Young |
| Coffey | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bills:

"An act making an appropriation for deficiency for the expenses of the joint committee of the Legislature appointed to investigate certain corrupt practices in connection with the Legislature" (No. 2300, Rec. No. 653), which was read the first time,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 1

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donovan | Hammond | Miller | Smith A E |
| Ahern | Drummond | Hearn | Monczynski | Smith T K |
| Baumes | Ebbetts | Herrick J J | Mork | Spielberg |
| Beach | Egan | Herrick W R | Myers | Stivers |
| Blauvelt | Evans | Heyman | Neupert | Sweet |
| Boylan | Farrell | Hoey | Nolan | Talmage |
| Brace | Fitzpatrick | Hoff | O'Connor | Terry |
| Brennan | Foley | Hollmann | O'Neill J J | Thorn |
| Bridenbecker | Friedman | Hoyt | O'Neil M A | Turley |
| Brooks | Fry | Jackson | Pappert | Walker |
| Bryant | Geatons | Jameson | Parker A | Ward |
| Bush | Gerhardt | Keys | Parker J S | Warren |
| Butler | Gerken | Kopp | Patrie | Washburn |
| Carew | Gillen | LaReau | Phillips J S | Waters F A |
| Caughlan | Goldberg | Levy J | Pierce | Weil |
| Coffey | Goodwin | Manley | Saunders | Wende |
| Collin | Gould | Martin | Schifferdecker | Wheeler |
| Constantine | Graubard | McCue | Shannon | Winters |
| Cosad | Gregg | McDaniels | Sheide | Yale |
| Cross | Gurnett | McElligott | Shepardson | Yeomans |
| Dawson | Hackett | McGrath | Shlivek | Young |
| Day | Haines | Merritt | Shortt | Zorn |
| Donnelly | | | | |

In the negative:

Murray

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act making appropriation for expenses and services of expert witnesses and compensation and disbursements of counsel employed during the investigation ordered by a resolution of the Senate, adopted January twentieth, nineteen hundred and ten,

which investigation was conducted under the rules of procedure adopted by the Senate January twenty-sixth, nineteen hundred and ten" (No. 2301, Rec. No. 654), which was read the first time.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Day | Hackett | Merritt | Shortt |
| Ahern | Donnelly | Haines | Miller | Smith A E |
| Baumes | Donovan | Hammond | Monczynski | Smith T K |
| Beach | Drummond | Herrick J J | Mork | Spielberg |
| Blauvelt | Ebbetts | Herrick W R | Murray | Stivers |
| Boylan | Egan | Heyman | Myers | Sweet |
| Brace | Evans | Hoey | Neupert | Talmage |
| Brennan | Farrell | Hoff | Nolan | Terry |
| Brereton | Fay | Hollmann | O'Connor | Thorn |
| Bridenbecker | Filley | Hoyt | O'Neill J J | Trombly |
| Brooks | Fitzpatrick | Jackson | O'Neil M A | Turley |
| Bush | Foley | Jameson | Parker A | Walker |
| Butler | Friedman | Keys | Parker J S | Ward |
| Carew | Fry | Kopp | Patrie | Warren |
| Caughlan | Geatons | Lansing | Phillips C W | Washburn |
| Chanler | Gerhardt | LaReau | Phillips J S | Waters F A |
| Cheney | Gerken | Levy A J | Pierce | Waters R B |
| Coffey | Gillen | Levy J | Saunders | Weil |
| Collin | Goldberg | Manley | Schifferdecker | Wende |
| Constantine | Goodwin | Martin | Seeley | Wheeler |
| Cosad | Gould | McCue | Shannon | Winters |
| Cross | Graubard | McDaniels | Sheide | Yale |
| Cuvillier | Gregg | McElligott | Shepardson | Young |
| Dawson | Gurnett | McGrath | Shlivek | Zorn |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to increase the number of justices of the Supreme Court of the first judicial district of the State, and to provide for additional justices therein" (No. 2294, Rec. No. 655), which was read the first time.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 5

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|-----------|
| Adler | Donnelly | Haines | McGrath | Shortt |
| Baumes | Donovan | Hammond | Merritt | Smith A E |
| Beach | Drummond | Hearn | Miller | Smith T K |
| Blauvelt | Egan | Herrick J J | Monczynski | Spielberg |
| Boylan | Evans | Herrick W R | Mork | Stivers |
| Brace | Farrell | Heyman | Myers | Sweet |
| Brennan | Fitzpatrick | Hoey | Neupert | Talmage |
| Bridenbecker | Foley | Hoff | O'Connor | Terry |
| Brooks | Friedman | Hollmann | O'Neill J J | Thorn |
| Bryant | Fry | Hoyt | O'Neil M A | Turley |
| Bush | Geatons | Jackson | Parker A | Walker |
| Butler | Gerhardt | Jameson | Parker J S | Warren |
| Carew | Gerken | Keys | Patrie | Washburn |
| Caughlan | Gillen | Kopp | Phillips J S | Weil |
| Coffey | Goldberg | LaReau | Pierce | Wende |
| Collin | Goodwin | Levy J | Saunders | Wheeler |
| Constantine | Gould | Manley | Schifferdecker | Winters |
| Cosad | Graubard | Martin | Shannon | Yale |
| Cross | Gregg | McCue | Sheide | Yeomans |
| Dawson | Gurnett | McDaniels | Shepardson | Young |
| Day | Hackett | McElligott | Shlivek | Zern |

Those who voted in the negative were:

| | | | | |
|-------|---------|--------|-------|------|
| Ahern | Ebbetts | Murray | Nolan | Ward |
|-------|---------|--------|-------|------|

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend the Tax Law, in relation to exceptions and limitations on taxable transfers" (No. 2291, Rec. No. 656), which was read the first time.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 112

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donovan | Hearn | Monezynski | Smith A E |
| Ahern | Drummond | Herrick J J | Mork | Smith T K |
| Baumes | Ebbetts | Herrick W R | Murray | Spielberg |
| Beach | Egan | Heyman | Myers | Stivers |
| Blauvelt | Evans | Hoey | Neupert | Sweet |
| Boylan | Farrell | Hoff | Nolan | Talmage |
| Brace | Fitzpatrick | Hollmann | O'Connor | Terry |
| Brennan | Foley | Hoyt | O'Neill J J | Thorn |
| Bridenbecker | Friedman | Jackson | O'Neil M A | Turley |
| Brooks | Fry | Jameson | Pappert | Walker |
| Bryant | Geatons | Keys | Parker A | Ward |
| Bush | Gerhardt | Kopp | Parker J S | Warren |
| Butler | Gerken | LaReau | Patrie | Washburn |
| Carew | Gillen | Levy J | Phillips J S | Waters F A |
| Caughlan | Goldberg | Manley | Pierce | Weil |
| Coffey | Goodwin | Martin | Saunders | Wende |
| Collin | Gould | McCue | Schifferdecker | Wheeler |
| Constantine | Graubard | McDaniels | Shannon | Winters |
| Cosad | Gregg | McElligott | Sheide | Yale |
| Cross | Gurnett | McGrath | Shepardson | Yeomans |
| Dawson | Hackett | Meritt | Shlivek | Young |
| Day | Haines | Miller | Shortt | Zorn |
| Donnelly | Hammond | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend chapter three hundred and thirty-six of the Laws of nineteen hundred and three, entitled 'An act to provide for the erection of a court house in the county of New York, and authorizing the acquisition of a site therefor,' with respect to the method of the selection of the site" (No. 2287, Rec. No. 657), which was read the first time.

On motion of Mr. A. E. Smith, and by unanimous consent, said said bill was read the second time and ordered to a third reading.

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 113

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|----------------|------------|
| Adler | Donovan | Hearn | Monczynski | Smith A E |
| Ahern | Drummond | Herrick J J | Mork | Smith T K |
| Baumes | Ebbetts | Herrick W R | Murray | Spielberg |
| Beach | Egan | Heyman | Myers | Stivers |
| Blauvelt | Evans | Hoey | Neupert | Sweet |
| Boylan | Farrell | Hoff | Nolan | Talmage |
| Brace | Fitzpatrick | Hollmann | O'Connor | Terry |
| Brennan | Foley | Hoyt | O'Neill J J | Thorn |
| Bridenbecker | Friedman | Jackson | O'Neil M A | Turley |
| Brooks | Fry | Jameson | Pappert | Walker |
| Bryant | Geatons | Kennedy | Parker A | Ward |
| Bush | Gerhardt | Keys | Parker J S | Warren |
| Butler | Gerken | Kopp | Patrie | Washburn |
| Carew | Gillen | LaReau | Phillips J S | Waters F A |
| Caughlan | Goldberg | Levy J | Pierce | Weil |
| Coffey | Goodwin | Manley | Saunders | Wende |
| Collin | Gould | Martin | Schifferdecker | Wheeler |
| Constantine | Graubard | McCue | Shannon | Winters |
| Cosad | Gregg | McDaniels | Sheide | Yale |
| Cross | Gurnett | McElligott | Shepardson | Yeomans |
| Dawson | Hackett | McGrath | Shlivek | Young |
| Day | Haines | Merritt | Shortt | Zorn |
| Donnelly | Hammond | Miller | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Neupert, from the committee on printed and engrossed bills reported the following bills as correctly printed or engrossed:

"An act constituting the charter of the city of New York." (Int. No. 1261, No. 2610.)

"An act dividing the State into congressional districts." (Int. No. 1955, No. 2608.)

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *September 30, 1911.*

Resolved (if the Assembly concur), That a joint legislative committee be hereby constituted consisting of three Senators, to be designated by the President of the Senate, and five members of the Assembly, to be designated by the Speaker of the Assembly, to investigate the subject-matter of the proposed exhibit of products and resources of the State of New York at the Panama-Pacific International Exposition, to be held in San Francisco in the year nineteen hundred and fifteen, to make such preliminary arrangements as may be necessary for the determination of the selection of a suitable site for a State building and plans therefor, and for such purpose to visit the site of such exposition.

That such committee may employ such assistants as it requires and shall otherwise have all of the powers of a legislative committee.

That on or before March first, nineteen hundred and twelve, such committee report to the Legislature the result of its investigation, together with a plan for the creation of a statutory commission to have full and exclusive charge and control of the exhibit of the State of New York at such exposition, and the maintenance and installation thereof.

That the necessary expenses of such committee be paid out of moneys appropriated for the payment of the contingent expenses of the Legislature upon the certificate of the chairman of such committee and either the Temporary President of the Senate or the Speaker of the Assembly.

By order of the Senate,

PATRICK E. McCABE,

Clerk.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

| | | | | |
|----------|-------------|-------------|-------------|-----------|
| Adler | Donnelly | Herrick J J | Moneczynski | Smith A E |
| Ahern | Donovan | Herrick W R | Mork | Smith T K |
| Baumes | Drummond | Heyman | Murray | Spielberg |
| Beach | Ebbetts | Hoey | Myers | Stivers |
| Blauvelt | Egan | Hoff | Neupert | Sweet |
| Boylan | Evans | Hollmann | Nolan | Talmage |
| Brace | Farrell | Hoyt | O'Connor | Terry |
| Brennan | Fitzpatrick | Jackson | O'Neill J J | Thorn |

| | | | | |
|--------------|----------|------------|----------------|------------|
| Brereton | Foley | Jameson | O'Neil M A | Trombly |
| Bridenbecker | Friedman | Keys | Parker A | Turley |
| Brooks | Fry | Kopp | Parker J S | Walker |
| Bush | Geatons | Lansing | Patrie | Ward |
| Butler | Gerhardt | LaReau | Phillips C W | Warren |
| Carew | Gerken | Levy A J | Phillips J S | Washburn |
| Caughlan | Gillen | Levy J | Pierce | Waters F A |
| Cheney | Goldberg | Manley | Saunders | Waters R B |
| Coffey | Goodwin | Martin | Schifferdecker | Weil |
| Collin | Gould | McCue | Seeley | Wende |
| Constantine | Graubard | McDaniels | Shannon | Wheeler |
| Cosad | Gregg | McElligott | Sheide | Winters |
| Cross | Gurnett | McGrath | Shepardson | Yale |
| Cuvillier | Hackett | Merritt | Shlivek | Young |
| Dawson | Haines | Miller | Shortt | Zorn |
| Day | Hammond | | | |

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *September 30, 1911.*

Resolved (if the Assembly concur), That Senate bill (No. 1364, Rec. No. 401), entitled "An act to legalize and confirm the certificate of incorporation and the incorporation of the Rome and Oneida electric railroad, and the proceedings taken and had under or in pursuance of said certificate, and extending the time within which such corporation may construct its road and put the same in operation," be returned to the Governor.

By order of the Senate,

PATRICK E. McCABE,

Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *September 30, 1911.*

Resolved (if the Assembly concur), That the Legislature adjourn at five o'clock p. m. to-day, September 30, 1911, without date.

By order of the Senate,

PATRICK E. McCABE,

Clerk.

Mr. Merritt moved that the House agree to said resolution.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 46

NOES 85

Those who voted in the affirmative were:

| | | | | |
|----------|-------------|-----------|--------------|------------|
| Adler | Constantine | Jones | Parker J S | Talmage |
| Ahern | Cross | Keys | Phillips C W | Thorn |
| Allen | Ebbetts | Lansing | Phillips J S | Waring |
| Baumes | Goodwin | Macdonald | Pierce | Waters F A |
| Brereton | Hammond | MacGregor | Shannon | Waters R B |
| Brooks | Hart | Merritt | Shepardson | Winters |
| Bryant | Higgins | Murray | Smith T K | Yale |
| Butler | Hinman | Nolan | Stivers | Yeomans |
| Cheney | Hoff | Pappert | Sweet | Young |
| Coffey | | | | |

Those who voted in the negative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Beach | Drummond | Gurnett | Manley | Schifferdecker |
| Blauvelt | Egan | Hackett | Martin | Seeley |
| Boylan | Evans | Haines | McCue | Sheide |
| Brace | Farrell | Hearn | McDaniels | Shlivek |
| Brennan | Fay | Herrick J J | McElligott | Shortt |
| Bridenbecker | Fitzpatrick | Herrick W R | McGrath | Smith A E |
| Bush | Foley | Heyman | McKeon | Terry |
| Carew | Friedman | Hoey | Miller | Trombly |
| Caughlan | Fry | Hollmann | Mork | Turley |
| Chanler | Geatons | Hoyt | Myers | Walker |
| Collin | Gerhardt | Huber | Neupert | Ward |
| Cosad | Gerken | Jackson | O'Connor | Warren |
| Cuvillier | Gillen | Jameson | O'Neill J J | Washburn |
| Dawson | Goldberg | Kennedy | O'Neil M A | Weil |
| Day | Goldstein | LaReau | Parker A | Wende |
| Donnelly | Gould | Levy A J | Patrie | Wheeler |
| Donovan | Gregg | Levy J | Saunders | Zorn |

The Senate returned the bill (No. 2608, Reprint No. 2612, Int. No. 1955), entitled "An act dividing the State into congressional districts," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolutions in relation to printing the proceedings of the Hill memorial services.

On motion of Mr. A. E. Smith, the House adjourned until Tuesday, October 3d, at 8:30 o'clock p. m.

TUESDAY, OCTOBER 3, 1911.

The House met pursuant to adjournment.

Mr. A. E. Smith in the chair.

Prayer by Rev. J. V. Moldenhauer,

On motion of Mr. Patrie, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Cuvillier, from the committee on military affairs, presented the special report of said committee upon the State camp at Pine Plains, which was laid upon the table.

On motion of Mr. Patrie, the House adjourned.

WEDNESDAY, OCTOBER 4, 1911.

The House met pursuant to adjournment.

Mr. A. E. Smith in the chair.

Prayer by Rev. Edward R. James, Rensselaer.

On motion of Mr. Foley, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Ahern of Kings was excused for Wednesday and Thursday sessions.

On motion of Mr. Foley, the House took a recess until one o'clock p. m.

ONE O'CLOCK P. M.

The House again convened.

On motion of Mr. A. E. Smith, the House adjourned until Thursday, October 5th, at 11 o'clock a. m.

THURSDAY, OCTOBER 5, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

| | | | | |
|--------------|-----------|----------|--------------|------------|
| Beach | Cross | Gregg | Martin | Shortt |
| Blauvelt | Cuvillier | Hackett | McCue | Smith A E |
| Boylan | Day | Hammond | McElligott | Smith T K |
| Brace | Donnelly | Hart | McGrath | Trombly |
| Brennan | Donovan | Higgins | Meritt | Walker |
| Brereton | Drummond | Hinman | Miller | Ward |
| Bridenbecker | Ebbetts | Hoey | Murray | Warren |
| Brooks | Fay | Hoff | Myers | Washburn |
| Bryant | Foley | Hoyt | Nolan | Waters R B |
| Bush | Friedman | Jameson | O'Neill J J | Weil |
| Carew | Fry | Jones | Parker A | Wende |
| Caughlan | Gerhardt | LaReau | Phillips C W | Wheeler |
| Chanler | Goldberg | Levy A J | Saunders | Winters |
| Colné | Goodman | Levy J | Seeley | Young |
| Cosad | Graubard | Manley | Shlivek | |

Mr. A. E. Smith moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence the following entitled bills:

"An act to amend the Greater New York charter in relation to salaries of the supervising and teaching staffs of the board of education" (No. 2328, Rec. No. 658), which was read the first time and referred to the committee on public education.

"An act to amend the Tax Law, in relation to ascertaining value of special franchises and equalization thereof, powers of State Board of Tax Commissioners and review of assessments" (No. 2327, Rec. No. 659), which was read the first time.

On motion of Mr. A. E. Smith, and by unanimous consent, said said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it; therefore, in accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill (Int. No. 1712, Printed No. 2327), entitled "An act to amend the Tax Law, in relation to ascertaining value of special franchise and equalization thereof, powers of State Board of Tax Commissioners and review of assessments."

Given under my hand and the privy seal of the State at the Capitol in the city of Albany this fourth day of
[L. s.] October in the year of our Lord one thousand nine hundred and eleven.

JOHN A. DIX.

By the Governor:

JOHN A. MASON,
Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 94

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Beach | Day | Haines | McElligott | Smith T K |
| Blauvelt | Donnelly | Hammond | McGrath | Spielberg' |
| Boylan | Donovan | Hart | McKeon | Stivers |
| Brace | Drummond | Herrick W R | Merritt | Terry |
| Brennan | Ebbetts | Higgins | Miller | Thorn |
| Brereton | Farrell | Hinman | Murray | Turley |
| Bridenbecker | Fay | Hoey | Myers | Walker |
| Brooks | Fitzpatrick | Hoff | Nolan | Ward |
| Bryant | Foley | Hoyt | O'Neill J J | Waring |
| Bush | Friedman | Jameson | Pappert | Warren |
| Butler | Fry | Jones | Parker A | Washburn |
| Carew | Gerhardt | Lansing | Phillips C W | Waters R B |
| Caughlan | Goldberg | LaReau | Pierce | Weil |

| | | | | |
|-----------|-----------|-----------|-----------|---------|
| Chanler | Goldstein | Levy A J | Saunders | Wende |
| Collin | Goodman | Levy J | Seeley | Wheeler |
| Colne | Graubard | Manley | Shlivek | Winters |
| Cosad | Gray | Martin | Shortt | Yale |
| Cross | Gregg | McCue | Smith A E | Young |
| Cuvillier | Hackett | McDaniels | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Hoey offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That there be printed for the use of the Legislature five thousand additional copies of Senate bill (No. 1690), entitled "An act to amend the Insurance Law in relation to the establishment of the office of State fire marshal, defining his powers and duties, and providing for his compensation and the maintenance of his office."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 94

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|------------|
| Beach | Day | Haines | McElligott | Smith T K |
| Blauvelt | Donnelly | Hammond | McGrath | Saunders |
| Boylan | Donovan | Hart | McKeon | Stivers |
| Brace | Drummond | Herrick W R | Merritt | Terry |
| Brennan | Ebbetts | Higgins | Miller | Trombly |
| Brereton | Farrell | Hinman | Murray | Turley |
| Bridenbecker | Fay | Hoey | Myers | Walker |
| Brooks | Fitzpatrick | Hoff | Nolan | Ward |
| Bryan | Foley | Hoyt | O'Neill J J | Waring |
| Bush | Friedman | Jameson | Pappert | Warren |
| Butler | Fry | Jones | Parker A | Washburn |
| Carew | Gerhardt | Lansing | Patrie | Waters R B |
| Caughlan | Goldberg | LaReau | Phillips C W | Weil |
| Chanler | Goldstein | Levy A J | Pierce | Wende |
| Collin | Goodman | Levy J | Saunders | Wheeler |
| Colné | Graubard | Manley | Seeley | Winters |
| Cosad | Gray | Martin | Shlivek | Yale |
| Cross | Gregg | McCue | Shortt | Young |
| Cuvillier | Hackett | McDaniels | Smith A E | |

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

At 12:45 o'clock P. M., on motion of Mr. A. E. Smith, the House took a recess until 2 o'clock P. M.

TWO O'CLOCK P. M.

The House again convened.

On motion of Mr. A. E. Smith, the House took a recess until 8 o'clock P. M.

EIGHT O'CLOCK P. M.

The House again convened.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

| | | | | |
|--------------|-----------|-------------|----------------|------------|
| Allen | Cuvillier | Haines | McCue | Shepardson |
| Beach | Day | Hammond | McDaniels | Shlivek |
| Blauvelt | Donnelly | Hart | McElligott | Shortt |
| Boylan | Donovan | Herrick J J | McGrath | Smith A E |
| Brace | Drummond | Herrick W R | McKeon | Smith T K |
| Brennan | Ebbetts | Higgins | Merritt | Sullivan |
| Brereton | Egan | Hinman | Miller | Talmage |
| Bridenbecker | Evans | Hoff | Mork | Terry |
| Brooks | Farrell | Hoyt | Murray | Trombly |
| Brown | Fay | Huber | Myers | Walker |
| Bryant | Friedman | Jackson | Nolan | Ward |
| Bush | Fry | Jameson | O'Connor | Warren |
| Butler | Geatons | Jones | O'Neill J J | Washburn |
| Carew | Gerhardt | Keys | O'Neil M A | Weil |
| Caughlan | Gerken | Lansing | Parker A | Wende |
| Chanler | Gillen | LaReau | Patrie | Wheeler |
| Coffey | Goldberg | Levy A J | Phillips C W | Wilson |
| Collin | Goodman | Levy J | Saunders | Yale |
| Colné | Graubard | Manley | Schifferdecker | Young |
| Coad | Gregg | Martin | Seeley | Speaker |
| Cross | Hackett | | | |

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Pollock (No. 2207, Assembly Reprint No. 2611, Rec. No. 632), entitled "An act to amend the Stock Corporation Law, with reference to reorganization of corporations subject to the Public Service Commissions Law," a copy of which is hereto annexed, be made a special order, and asks that his

request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that the Senate bill introduced by Mr. Grady (No. 2328, Rec. No. 658), entitled "An act to amend the Greater New York charter in relation to salaries of the supervising and teaching staffs of the board of education," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Pollock (No. 2207, Assembly Reprint No. 2611, Rec. No. 632), entitled "An act to amend the Stock Corporation Law, with reference to reorganization of corporations subject to the Public Service Commissions Law."

Also, Senate bill introduced by Mr. Grady (No. 2328, Rec. No. 658), entitled "An act to amend the Greater New York charter in relation to salaries of the supervising and teaching staffs of the board of education," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker announced the special order, being the Senate bill (No. 2207, Assembly Reprint No. 2611, Rec. No. 632), entitled "An act to amend the Stock Corporation Law, with reference to reorganization of corporations subject to the Public Service Commissions Law."

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 98

NOES 3

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|-------------|----------------|------------|
| Allen | Cross | Gregg | Martin | Seeley |
| Beach | Cuvillier | Hackett | McCue | Shepardson |
| Blauvelt | Day | Haines | McDaniels | Shlivek |
| Boylan | Donnelly | Hammond | McElmgott | Shortt |
| Brace | Donovan | Hart | McGrath | Smith A E |
| Brennan | Drummond | Herrick J J | McKeon | Smith T K |
| Brereton | Ebbetts | Herrick W R | Merritt | Sullivan |
| Bridenbecker | Egan | Higgins | Miller | Talmage |
| Brooks | Evans | Hinman | Mork | Terry |
| Brown | Fay | Hoff | Myers | Trombly |
| Bryant | Friedman | Hoyt | Nolan | Walker |
| Bush | Fry | Huber | O'Connor | Warren |
| Butler | Geatons | Jameson | O'Neill J J | Washburn |
| Carew | Gerhardt | Jones | O'Neil M A | Weil |
| Caughlan | Gerken | Keys | Parker A | Wende |
| Chanler | Gillen | Lansing | Patrie | Wheeler |
| Coffey | Goldberg | LaReau | Phillips C W | Wilson |
| Collin | Goldstein | Levy A J | Saunders | Yale |
| Colné | Goodman | Levy J | Schifferdecker | Yeomans |
| Cosad | Graubard | Manley | | |

Those who voted in the negative were:

| | | |
|--------|------|-------|
| Murray | Ward | Young |
|--------|------|-------|

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 2328, Rec. No. 658), entitled "An act to amend the Greater New York charter in relation to salaries of the supervising and teaching staffs of the board of education."

Debate was had thereon.

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it; therefore, in accordance with the provisions of section 15 of

article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill (Int. No. 1713, Printed No. 2328), entitled "An act to amend the Greater New York charter in relation to salaries of the members of the supervising and teaching staffs of the board of education."

Given under my hand and the privy seal of the State this
[L. S.] fifth day of October in the year of our Lord one
thousand nine hundred and eleven.

(Signed) JOHN A. DIX.

By the Governor:

JOHN A. MASON,
Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 91

NOES 4

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|-------------|--------------|----------------|
| Allen | Cross | Graubard | Levy J | Schifferdecker |
| Beach | Cuvillier | Gregg | Macdonald | Seeley |
| Blauvelt | Day | Hackett | Manley | Shepardson |
| Boylan | Donnelly | Haines | Martin | Shortt |
| Brace | Donovan | Hammond | McCue | Smith A E |
| Brennan | Drummond | Hart | McDaniels | Smith T K |
| Brereton | Ebbetts | Herrick J J | McElligott | Sullivan |
| Bridenbecker | Evans | Herrick W R | McGrath | Talmage |
| Brown | Farrell | Higgins | McKeon | Trombly |
| Bryant | Fay | Hinman | Merriitt | Walker |
| Bush | Friedman | Hoff | Myers | Ward |
| Butler | Fry | Hoyt | O'Connor | Washburn |
| Carew | Geatons | Huber | O'Neill J J | Weil |
| Caughlan | Gerhardt | Jameson | O'Neil M A | Wende |
| Chanler | Gerken | Jones | Parker A | Wheeler |
| Coffey | Gillen | Keys | Patrie | Wilson |
| Collin | Goldberg | LaReau | Phillips C W | Young |
| Colné | Goodman | Levy A J | Saunders | Speaker |
| Cosad | | | | |

Those who voted in the negative were:

| | | | |
|--------|--------|--------|---------|
| Brooks | Miller | Murray | Shlivek |
|--------|--------|--------|---------|

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

At 10:30 o'clock, on motion of Mr. A. E. Smith, the House took a recess of thirty minutes.

ELEVEN O'CLOCK P. M.

The House again convened.

Mr. Speaker announced the appointment of Mr. Shortt of Richmond., as representative of the Assembly, to attend the 12th N. Y. State Conference of Charities of Correction to be held in Watertown, October 17-19, 1911.

On motion of Mr. A. E. Smith, the House adjourned until Friday, October 6th, at 10 A. M.

FRIDAY, OCTOBER 6, 1911.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. A. E. Smith, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. A. E. Smith moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

| | | | | |
|----------|----------|-------------|------------|------------|
| Ahern | Dawson | Gurnett | Manley | Seeley |
| Allen | Day | Hackett | Martin | Sheide |
| Baumes | Donnelly | Haines | McCue | Shepardson |
| Beach | Donovan | Hammond | McDaniels | Shlivek |
| Blauvelt | Drummond | Hart | McElligott | Shortt |
| Boylan | Ebbetts | Hearn | McGrath | Smith A E |
| Brace | Egan | Herrick J J | McKeon | Smith T K |
| Brennan | Evans | Herrick W R | Merritt | Spielberg |

| | | | | |
|---------------|-------------|-----------|----------------|------------|
| Brereton | Farrell | Heyman | Miller | Talmage |
| B ridenbecker | Fay | Higgins | Monezynski | Terry |
| B ooks | Filley | Hinman | Mork | Trombly |
| Brown | Fitzpatrick | Hoey | Murray | Walker |
| Bryant | Foley | Hoff | Myers | Ward |
| Bush | Friedman | Hoyt | Neupert | Warren |
| Butler | Fry | Huber | Nolan | Washburn |
| Carew | Geatons | Jackson | O'Connor | Waters R B |
| Caughlan | Gerhardt | Jameson | O'Neill J J | Weil |
| Chanler | Gerken | Jones | O'Neil M A | Wende |
| Coffey | Gillen | Keys | Parker A | Wheeler |
| Collin | Goldberg | Lansing | Parker J S | Yale |
| Colné | Goldstein | LaReau | Phillips J S | Young |
| Cosad | Goodman | Levy J | Saunders | Zorn |
| Cross | Graubard | Macdonald | Schifferdecker | Speaker |
| Cuvillier | Gregg | MacGregor | | |

Mr. A. E. Smith moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned the Senate bill (No. 2326, Assembly Reprint No. —, Senate Reprint No. 2329, Rec. No. 651), entitled "An act to amend the Election Law, in relation to nominations and primaries," with a message that they have concurred in the amendments of the Assembly made thereto, and further amended the same to read as Senate Printed No. 2329.

Mr. Speaker stated the question to be upon concurring in the Senate amendments.

Mr. A. E. Smith moved to concur in the Senate amendments.

Debate was had thereon.

Mr. A. E. Smith moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it; therefore, in accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill (Int. No. 1309, Printed

No. 2329), as amended, entitled "An act to amend the Election Law in relation to nominations and primaries."

Given under my hand and the Privy Seal of the State at the Capitol in the City of Albany this fifth day of [L. s.] October in the year of our Lord one thousand nine hundred and eleven.

JOHN A. DIX.

By the Governor:

JOHN A. MASON,
Secretary to the Governor.

Mr. Speaker put the question whether the House would concur in said amendments, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 80

NOES 36

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|-------------|----------------|
| Beach | Donovan | Graubard | Martin | Schifferdecker |
| Blauvelt | Drummond | Gregg | McCue | Seeley |
| Boylan | Egan | Gurnett | McDaniels | Sheide |
| Brace | Evans | Hackett | McElligott | Shortt |
| Brennan | Farrell | Hearn | McGrath | Smith A E |
| Bridenbecker | Fay | Herrick J J | McKeon | Spielberg |
| Bush | Fitzpatrick | Herrick W R | Miller | Terry |
| Carew | Foley | Heyman | Monczynski | Trombly |
| Caughlan | Friedman | Hoey | Mork | Walker |
| Chanler | Fry | Hoyt | Myers | Warren |
| Collin | Geatons | Huber | Neupert | Washburn |
| Cosad | Gerhardt | Jackson | O'Connor | Weil |
| Cuvillier | Gerken | Jameson | O'Neill J J | Wende |
| Dawson | Gillen | LaReau | O'Neil M A | Wheeler |
| Day | Goldberg | Levy J | Parker A | Zorn |
| Donnelly | Goldstein | Manley | Saunders | Speaker |

Those who voted in the negative were:

| | | | | |
|----------|---------|---------|--------------|------------|
| Ahern | Coffey | Hammond | Lansing | Shepardson |
| Allen | Colné | Hart | Macdonald | Shlivek |
| Baumes | Cross | Higgins | Merritt | Smith T K |
| Brereton | Ebbetts | Hinman | Murray | Talmage |
| Brooks | Filley | Hoff | Nolan | Ward |
| Brown | Goodman | Jones | Parker J S | Waters R B |
| Bryant | Haines | Keys | Phillips C W | Young |
| Butler | | | | |

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly has concurred in the amendments of the Senate thereto.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed for the use of the Assembly thirty-nine hundred copies of Senate bill (No. 2329), entitled "An act to amend the Election Law in relation to nominations and primaries."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-------------|--------------|----------------|
| Ahern | Cross | Goldstein | Lansing | Schifferdecker |
| Allen | Cuvillier | Goodman | LaReau | Seeley |
| Baumes | Dawson | Graubard | Levy J | Shepardson |
| Beach | Day | Gregg | Macdonald | Shivek |
| Blauvelt | Donnelly | Gurnett | Manley | Shortt |
| Boylan | Donovan | Hackett | Martin | Smith A E |
| Brace | Drummond | Haines | McDaniels | Smith T K |
| Brennan | Ebbetts | Hammond | McElligott | Spielberg |
| Brereton | Egan | Hart | McGrath | Talmage |
| Bridenbecker | Evans | Hearn | Merritt | Terry |
| Brooks | Farrell | Herrick J J | Miller | Thorn |
| Brown | Fay | Herrick W R | Monczynski | Trombly |
| Bryant | Filley | Heyman | Mork | Walker |
| Bush | Fitzpatrick | Higgins | Myers | Ward |
| Butler | Foley | Hinman | Neupert | Warren |
| Carew | Friedman | Hoey | Nolan | Washburn |
| Caughlan | Fry | Hoff | O'Neill J J | Waters F A |
| Chanler | Geatons | Huber | O'Neil M A | Waters R B |
| Coffey | Gerhardt | Jackson | Parker A | Weil |
| Collin | Gerken | Jameson | Parker J S | Wende |
| Colné | Gillen | Jones | Phillips C W | Wheeler |
| Cosad | Goldberg | Keys | Saunders | Young |

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the Legislature adjourn sine die Friday, October 6, 1911, at 1:30 o'clock p. m.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Pursuant to section 12 of the Legislative Law, Mr. Speaker designated the following officers and employees to attend upon the opening of the next succeeding session of the Legislature: Assistant doorkeepers, Napoleon Mosher, John Nicodemi and

Ernest W. Redeke; messengers, Vivany Moore and Chas. F. Boughton; pages, Harry Petiz, Tracy O'Connor, J. P. Ogden, Joseph Gallagher, R. E. Coullahan and Wesley Ostrander.

Pursuant to section 13 of the Legislative Law, Mr. Speaker designated the following officers and employees to remain thirty days after the adjournment to perform duty under the direction of the Clerk: Frank R. Pennock, Wm. K. Mansfield, J. E. Packler, Edward P. Murphy and D. M. Frisbie.

The Clerk announced that pursuant to the provisions of section 12 of the Legislative Law, he had designated Frank R. Pennock, assistant clerk, to attend and receive compensation for a period of eight days for his services prior to and upon the opening of the succeeding session of the Legislature.

Mr. Turley of New York was excused on account of illness.

Mr. DeLano of Madison was excused for the day.

The Senate returned the concurrent resolution providing for an adjournment sine die, with a message that they have concurred in the passage of the same without amendment.

Mr. Speaker appointed Messrs. A. E. Smith of New York, and Merritt of St. Lawrence, a committee to wait upon the Governor and inform him that the Assembly has completed its labors and is ready to adjourn.

Mr. Speaker appointed Messrs. Foley and Hammond a committee to inform the Senate that the Assembly has completed its labors and is ready to adjourn.

Senators Black and Ormrod, a committee from the Senate, appeared in the Assembly Chamber and announced that the Senate has completed its labors and is ready to adjourn.

Mr. A. E. Smith, from the committee appointed to wait upon the Governor and inform him that the Assembly has completed its labors and is ready to adjourn, reported that they had performed that duty.

Mr. Foley, from the committee appointed to wait upon the Senate and inform that honorable body that the Assembly has completed its labors and is ready to adjourn, reported that they had performed that duty.

Pursuant to concurrent resolution, Mr. Speaker appointed the following committee on the part of the Assembly to investigate

the subject of the proposed Panama-Pacific International Exposition and make preliminary arrangements for a State building: Mr. Foley of New York, Mr. Washburn of Ulster, Mr. Yale of Putnam, Mr. Brooks of New York and Mr. Speaker of Schoharie.

The Clerk read the journal of to-day's proceedings.

On motion of Mr. A. E. Smith, the same was approved.

The hour of one o'clock and thirty minutes P. M. having arrived Mr. Speaker declared the House adjourned sine die.

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PLAN OF INDEX.

This Journal is indexed upon the following plan :

1. Every bill relating to a locality may be found indexed under the name of that locality and ordinarily will not be found indexed under the subject to which it relates.

2. All bills relating to Kings county will be found under the New York, General, and all bills relating to Greater New York under New York City, General, and New York City, Charter.

3. Every general bill will be found indexed under the proper subject.

4. Every resolution, excepting those recalling bills, will be found under "Resolutions."

5. Every bill relating to canals will be found under "Canals."

6. The bills relating to general laws under the proper heads, i. e., "Banking Law," "Benevolent Orders Law," "Game Law," "Lien Law," "Revised Statutes," &c., &c., also under the head "General Laws."

7. All claim bills under "Claims."

8. Bills relating to cities of either class under "Cities of 1st Class," "Cities of 2d Class," &c., &c.

9. All code amendments under the heads of "Code Civil," "Code Criminal," and "Code Penal."

10. All petitions under "Petitions," and reports under "Reports."

11. All points of order under "Points of Order."

12. All decisions and acts of Speaker under "Speaker."

13. Privileges of floor under "Privilege."

14. All matters relating to bills under the proper head.

15. The numbers used in this index, viz.: "Int. No.," refers to Assembly bill and its introductory number, and when "Rec. No." is used, it refers to the Senate bill and its reception number.

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